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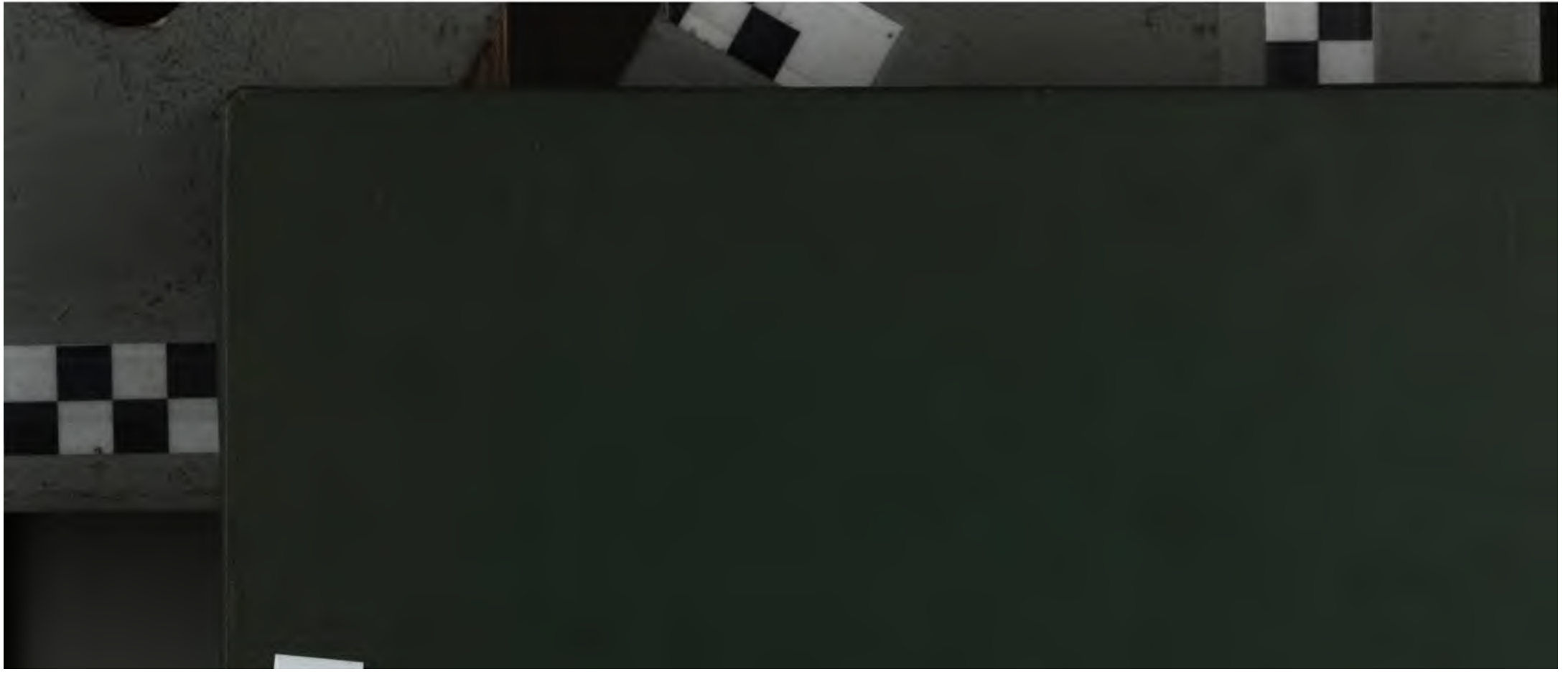

# MRS. EDDY

## AND THE LATE SUIT IN EQUITY

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THE NEW YORK
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Mary Baker G. Eddy

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# MRS. EDDY

AND THE

# LATE SUIT IN EQUITY

BY

MICHAEL MEEHAN

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# FOREWORD

THE purpose of this volume is to lay before the reader a fairly complete and accurate report of the court trial known to the public as "Mrs. Eddy and the Late Suit in Equity."

At the time the proceedings were in progress, wide publicity was given the more sensational features of the suit, but the manner of recital and presentation was incoherent because a well-connected story under the conditions was practically if not quite impossible, and the salient points in, as well as the morale of, the eventful suit were of necessity slighted, ignored, or entirely overlooked.

The character of charges preferred in the petition:

The mystery surrounding the engaging of counsel by "next friends";

The newspaper attacks on Mrs. Eddy antedating the filing of the petition;

The very generally suspected real ends sought;

The very generally suspected real parties in interest as plaintiffs;

The world-wide renown of Mrs. Eddy and the equally world-wide interest in Christian Science;

The almost universally accepted belief that the suit, in a measure at least, was an attempt to exploit Christian Science;

The means resorted to by counsel for "next friends" to effect their purposes;

The wide-spread condemnation of those methods and of the suit;

The fact that the suit was an attack on religion and womanhood;

The fact that for the first time in our American courts the claim of age was being made an excuse to deprive the owner of property of its use and control and the right to dispose of it at will;

The failure on the part of counsel for "next friends" to prove the allegations set forth in the petition, or any part thereof — all had a forceful tendency to arouse interest in and create a demand for an authentic history of the trial in such form as would preserve it and make it convenient for reference, and this work is submitted to the public with the view to serving that interest and satisfying that demand.

Apart from the proceedings before the Chancellor and the hearing before the Masters, the author deemed it well to give the out-of-court events and utterances that were considered important, that is, the events and utterances that led up to, grew out of, or resulted from the suit, and in order to do this intelligently, the volume is divided into six BOOKS as follows:

BOOK I. What preceded the filing of the petition.

BOOK II. The proceedings before the Chancellor, including the creation by Mrs. Eddy of the two trusteeships; the correction by Mrs. Eddy of the patent errors in the McClure Magazine's attempted story of her life; Mrs. Eddy's letter to Judge Chamberlin in autograph form; the denial of the right of trustees to intervene and be substituted for "next friends," and the appointment of a Master and co-Masters.

BOOK III. The hearing before the Masters which included the famous colloquy between counsel for "next friends" and Judge Aldrich; memorable interview of the Masters with Mrs. Eddy as edited by herself, and the autograph letter from Mrs. Eddy to the author, commenting thereon; the request for dismissal of

the suit by counsel for "next friends"; General Streeter's closing address; the payment of costs.

BOOK IV. The opinions in full of the learned alienists who were given opportunity to test the mental responsibility of the Discoverer and Founder of Christian Science in her home — Pleasant View; the interviews or audiences granted by Mrs. Eddy to certain newspaper representatives.

BOOK V. Editorial comment on the trial by many newspapers and magazines.

BOOK VI. Brief biographical sketches of the men directly interested in the suit, as well as of some others prominent in Christian Science work.

MICHAEL MEEHAN.

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# BOOK I

## INCLUDING WHAT PRECEDED FILING OF PETITION

# MRS. EDDY

# AND THE LATE SUIT IN EQUITY

## Book I

### INCLUDING WHAT PRECEDED FILING OF PETITION

### LAYING FOUNDATION OF SUIT

IN September, 1906, representatives of "The New York World" and the "McClure's Magazine" visited Concord, New Hampshire, for the purpose, as afterwards made clear, of making an attack through their respective publications on Christian Science and on the good name and mental responsibility of Rev. Mary Baker G. Eddy, who then, and for more than twenty years prior thereto, had made her home in that beautiful old New England town, which she loved primarily on account of her affection for the good people of that city, among whom she was born.

These representatives were not long in Concord until it became clear to all that their intentions, if not their instructions, were not to ascertain the facts appertaining to Mrs. Eddy and those about her, but to formulate a sensational story to further the ends of "yellow journalism."

After calling on and questioning a few of the representative business and professional men of that city, and gaining nothing from them save expressions of confidence in and appreciation of Concord's most distinguished citizen (all of which were not in keeping with either their expectations or their wishes), they sought elsewhere, and by adroit interrogations among the more ignorant, intolerant, and prejudiced succeeded in obtaining guesses and prejudiced

opinions more to their liking and purpose, and on this sadly distorted and idle gossip they based the story which, as was then surmised and as is now known, formed the groundwork for the extended litigation that followed.

Some days later it was learned that "The New York World" on a certain Sunday would devote a large space to the attempted exploitation of Mrs. Eddy's life, her responsibility, her inability to care for her estate, her character, and the character of the men and women about her, and letters were addressed by citizens of Concord to the publisher and the managing editor of "The World," requesting that it be not done, or if done, that opportunity be given Mrs. Eddy's friends to present in the same issue to the readers of "The World" the other and truthful side of the story.

Mr. Joseph Pulitzer, the owner and publisher of "The World," was at that time staying at Bar Harbor, Maine, and I wrote Mr. Pulitzer my views on the subject. This letter is published herewith for the purpose of showing the spirit of the many sent from Concord to thwart, if possible, "The World's" contemplated publication:

"THE PATRIOT,"
CONCORD, NEW HAMPSHIRE.

MR. JOSEPH PULITZER, BAR HARBOR, MAINE.

MY DEAR MR. PULITZER, — You are a comparatively old man, and your years, your character, and your accomplishments entitle you to the respect and kindly regard of your fellows. That which is due you, and which you have a right to expect at the hands of men, is due from you and yours to others under like or similar conditions.

Few, if any, women, living, have done as much to pass their names to posterity as has Rev. Mary Baker G. Eddy of this city and state, and we of Concord, regardless of religious belief, have great respect for this woman, and we resent any indignity aimed at her or passed upon her, and every decent man and woman in Concord experiences a sense of disappointment and shame on realizing that a great newspaper like "The World," through the overzeal of its representatives, would annoy her or cause her discomfort by appealing to low natures or those given to gossip and envy, to secure guesses or opinions about her, unworthy of "The World," unworthy of Mrs. Eddy, and unworthy of the intelligence, integrity, and manhood and womanhood of New Hampshire's capital city.

My dear Mr. Pulitzer, I have met and talked with you once. I have met and talked with Mrs. Eddy more than once. I know her; she knows me. I have been in her home, in her study with her within a few months, and discussed with her many things; I have bowed to her in her carriage within forty-eight hours, and my salutation has been returned by her.

If the intent of "The World's" representatives to Concord be carried out in its columns, "The World" will say in substance that Mrs. Eddy is dead, and that a mummy or a substitute, and not she, is in the carriage each day when it passes through the main streets of our city, and its occupant is greeted by our people; or it will say Mrs. Eddy is enfeebled and decrepid, and that those brilliant faculties which in the past made her wonderful accomplishments possible have departed.

To every statement, or even insinuation, of this kind, I, as one who knows, say it is not true, in whole nor in part, but on the contrary it is unqualifiedly false.

This letter to you is not occasioned by any special zeal on my part in the cause of CHRISTIAN SCIENCE, nor is it occasioned by any blind adherence to or worship of persons or advocacies, but solely in a spirit of justice, truth, square dealing — a becoming regard for brains and respectability as well as reverence for age and motherhood. I am,

Very truly yours,

(Signed) MICHAEL MEEHAN.

October 26, 1906.

These appeals were ineffectual not only in preventing the publication of what was nominated by the good people of Concord as a false, slanderous, and libellous correspondence, but they failed in eliciting even a reply, and on the following Sunday the first gun in the war of bitter, malicious, and relentless persecution was fired, and the firing was kept up until August 21, 1907, when those who had so unworthily assaulted Mrs. Eddy were forced to admit that they could not sustain any of the charges in their petition.

Such in brief was the well-organized effort and complete failure to prove Mrs. Eddy incompetent, to secure control of her fortune, to throw dark shadows across the religion she had founded, and to shed discredit upon the strong and faithful men and women who, by her choice, were surrounding her.

## EMPLOYMENT OF WILLIAM E. CHANDLER AS COUNSEL

WHEN it was announced through the columns of "The New York World" that proceedings were to be instituted to prove the asserted insanity and irresponsibility of Mrs. Eddy, there was coupled therewith the further announcement that the services of ex-Senator William Eaton Chandler of Concord had been enlisted as chief counsel. It was reasonably to be expected that parties who had interested themselves in such a mission would secure, if possible, the services of one who, by experience and training, would be fitted for such an undertaking, and it is doubtful if in all the country one endowed with accomplishments more in harmony with the requirements of this enterprise than those of Senator Chandler could be found. He was a man prominent in New Hampshire; he had in the past exerted a wide influence in her affairs; his name was a household word in the political world at least. Mr. Chandler was known as an able lawyer; his power of sarcasm in the United States Senate has been rarely paralleled, never surpassed; his residence was in Concord; he had been the friend of President Roosevelt; he had proven his ability as a debater and pleader; he was adroit and tactful; he was rich in resources, and in the past he had won notoriety, if not fame, along political lines by converting absolute defeat into victory. He was the man who could surely be relied on to make much out of what seemed a forlorn cause.

## WHY SUIT WAS BROUGHT

WHEN "The New York World" article made its appearance, the newspapers of the country condemned the story and applied to its owner, editors, and managers such harsh terms as were well calculated to excite anger and determine them upon such course as was by them pursued. "The New York World," a great institution, very wealthy, very powerful, could not afford to lie under the stigma of having trumped up a newspaper case reflecting upon a woman, and reflecting upon religion, and based upon nothing more substantial than a desire for sensationalism; and these men decided upon such action as in their minds would tend to get them out from under the ban, enable them to show, if possible, that some modicum of good faith might be ascribed to their acts.

The publisher and managers of "The New York World" knew nothing, or at best but little, of the good that Christian Science had done; of the high regard in which Mrs. Eddy was held — not only by the people of her own religious belief, but by all who know her well. They were unacquainted with the sterling integrity of New Hampshire men and New Hampshire courts, and in all probability they were impressed with the belief that the trial might be dragged out indefinitely, and during its long progression many things might occur that would enable them to avoid, at least in part, the charge of bad faith and malice laid at their door.

Then, again, the Christian Science religious movement might be exploited. It might be placed on trial, held up to ridicule, and the men who had dared to deny the false charges in "The World" might, through newspaper abuse and vilification, be taught that such temerity would not be allowed to pass unpunished.

Again, it is possible that the publisher of "The World,"

and others at its head, were imposed upon by its representatives. From the yellow journalistic standpoint, the story was undeniably a record-making one, and those interested felt that they must not allow the success achieved in telling it to be converted into failure and defeat. Keeping these thoughts in mind, it is not difficult to understand how "The World" came to be charged with the responsibility of having instituted such proceedings as were calculated to maintain the position it had taken. It is not difficult to understand that "The World" management would look lightly upon the expenditure of thousands of dollars if in the expenditure thereof it could substantiate, even in part, the charges preferred, and under the circumstances it is easy to believe that "The World" was the real party in interest; that it employed the counsel and instructed that counsel to secure clients, and that it was "The World's" money that paid all bills that were paid by the counsel thus secured.

## "THE NEW YORK WORLD" PROVEN RESPONSIBLE

IN case there are some not convinced by such evidence, there follows an editorial by the author, which appeared in "The New Hampshire Patriot," April 2, 1907, in which it is made clear by the admissions of "The World," together with letters from Mr. Chandler, that "The World" was his real employer.

The editorial was entitled, "WAS IT BY FRIENDS OR ENEMIES?" and it reads as follows:

On another page of to-day's "Patriot" will be found the motion for leave to intervene, filed by the trustees of Mrs. Eddy's estate in the widely advertised legal proceedings, instituted to compel the Rev. Mary Baker G. Eddy, founder of Christian Science, to make an accounting of the money she has earned, and show reason why it should not be turned over to others for their use and benefit. The proceedings were supposedly instituted by Mr. Glover; that is the general conclusion, though a passing consideration of the established facts will compel the conviction that Mr. Glover was not by any means the one really accountable for the initiative in the proceedings.

The motion speaks for itself. With it, as with the filed petition at this time, we have no concern. They are for the law and for the judges. On the legal status of the case it is not the intention here to touch; but because of the large interests claimed to be at issue, because of the world-wide renown of Mrs. Eddy, because the interests lie in Concord, and because, as we see it, the action preferred is more of a persecution and conspiracy than an effort to right wrong, or protect innocence and weakness, a few brief comments at this time by a Concord publication interested in fair dealing on the animus of the suit and responsibility therefor should be considered in order.

Mrs. Eddy's son, one of the plaintiffs in this case, is a practical man of affairs. He reached his majority many

years ago; he knows the world and its ways; he has held public office, we are told, and of necessity has a general conception of the law, and beyond a reasonable doubt knows his rights under the law, and under the long and well-established uses of kin and inheritance.

Taking these things into consideration, is it impertinent to inquire, had he really believed that his revered mother was being imposed upon; had he been assured that her property was being diverted to false or foreign uses; had he understood that his mother was really incompetent to care for her earnings and her estate, would he not on his own motion have consulted counsel and petitioned New Hampshire courts to protect her and care for what was hers?

If, however, it clearly appear that Mr. Glover was an unwilling petitioner, and that instead of taking the initiative, impelled thereto by a son's affection, he was practically coerced into the proceedings by parties who had no interest therein save the extension of the domain of "yellow journalism" and the gratification of a revenge made bitter by defeat and aggravated by universal newspaper condemnation, then the public would have an interest and a newspaper would be within its legitimate province in discussing the facts and conditions that led up to the aligning of parties to the suit and the filing of the petition.

Did Mr. Glover begin this suit? Have the published statements gone to prove it? Have the lawyers in the case been employed by the plaintiffs, or have the plaintiffs been employed by the lawyers and others? It is not our privilege or wish to answer these questions, but it is our privilege and pleasure to submit a few facts, and if the reader will follow them, the conclusions will be his, and not ours.

On March 2, 1907, "The New York World" printed a two-page story or review of the work done up to about that time in the case, and it is from those pages we take the statements on which the reader is asked to decide whether this suit was begun by Mrs. Eddy's friends or by her

enemies; whether it is the independent action of Mr. Glover in order to protect his mother and her interests, or an attempt on the part of "The New York World" to use New Hampshire courts to bolster up its false and sensational stories of last October. As we proceed with the extracts we will comment on them, and if capitals are used, our readers should understand they are ours.

We quote from "The World":

The foundations of this action were laid months ago in the public disclosures of gross deception at Pleasant View.

Who laid the foundations months ago? Not Mr. Glover nor the other "next friends," as will be shown a little later by "The World's" own utterances — they knew nothing whatever at the time about any contemplated action.

NEW YORK WORLD: At this juncture, public-spirited citizens decided that legal proceedings of the most dignified character were vital and necessary.

Who were the "public-spirited citizens"? Not one of them was of Concord; none of them from among the men and women who knew Mrs. Eddy best, and saw her daily; no friend of Mrs. Eddy at the time referred to had spoken.

NEW YORK WORLD: The selection of a man to direct the legal proceedings of such great importance to those immediately interested, and to society at large, was a great difficulty. . . . The choice fell upon William Eaton Chandler, New Hampshire's distinguished statesman for nearly one half of a century.

Remember that the paragraph has reference to the conclusions reached last October and November, when Mr. Glover and the other "next friends" as yet had not been consulted. Who was it that consulted Mr. Chandler, and why was Mr. Chandler consulted? Was it "The New York World"? If not, how does "The New York World" come to have such definite information touching the matter? Referring to Mr. Glover, when seen by an agent of "The World," it says:

(Mr. Grover) welcomes the powerful friends who come to his aid. . . . Influenced by Senator Chandler's letter to take action.

These two statements were in the headline, and their meaning was made plain in a two-column article that followed in which we find this:

The prospect of engaging Glover's assistance was not encouraging.

This is an admission, that instead of "The World" and Mr. Chandler being secured to assist Mr. Glover, Mr. Glover was engaged to assist "The World" and Mr. Chandler. In the face of this we ask, had Mr. Glover to be petitioned, encouraged, and plead with to protect his mother, who, "The World" insists, Mr. Glover said needed protection? And if so, is this action a voluntary one on the part of Mr. Glover? If Mr. Glover really believed that the proceeding was an honest and necessary one, and that she whom he was supposed to love and honor would be benefited by it, would so much urgency have to be used by "The New York World" and by Mr. Chandler in order to induce him to become a petitioner?

NEW YORK WORLD: There are one or two grains of truth in the press notices sent out from Pleasant View. It is said that Mr. Glover was a loyal champion of his mother. This had been made evident long before he WAS SOUGHT to aid actively in extricating his mother from her unfortunate position. It was this fact more than any other that made doubtful his coöperation in measures at law.

The above makes very plain one fact, and that is that considerable stress was brought to bear upon Mr. Glover before he would yield consent to become a party to a proceeding which he must have known was not justified by fact, and which "The World" and Mr. Chandler are now trying to prove to the people was begun by him.

NEW YORK WORLD: It was seen that Glover must be impressed with the paramount truth that the action had naught in it except to give to his mother her will, her freedom, and the fruits of her labor. . . . He must also be made to appreciate the second most important truth to him — that there was no wish nor intent to disparage or harass the church.

If there was any doubt lingering in anybody's mind as to whether or not this action was instituted by Mr. Glover on his own motion, this paragraph must have very effectively removed it.

NEW YORK WORLD: It was with the knowledge of these facts that an agent intrusted with the mission of placing before Glover HIS LEGAL OPPORTUNITY left New York for Lead City on the night of November 22, 1906. This agent brought with him two letters upon which he placed great stress for the successful outcome of his visit to Mary Baker G. Eddy's son.

The above reveals the argument brought to bear upon Mr. Glover — "HIS LEGAL OPPORTUNITY"! The agent was to leave no stone unturned to obtain Mr. Glover's consent to become a party to this suit, and Mr. Chandler had been engaged as a lawyer in the case largely because he was of New Hampshire, and his pleading with the son to aid "The New York World" in the persecution of his mother would be more effective because he (Mr. Chandler) was a New Hampshire man.

Who was the agent that was sent with Mr. Chandler's letters to Lead City to secure Mr. Glover's approval and consent? We believe, and we have reason for believing, that the agent was Mr. Slaght of "The New York World." [This is now known to be true.]

NEW YORK WORLD: Senator Chandler agreed to give to the case the sanction of his standing, and daily since the case became his care his interest in it has deepened and broadened.

As at first, the success of the INITIAL STEP WAS DUE IN THE GREATEST PART to the suggestions conveyed from Senator Chandler to George W. Glover, so now the augury of success in the courts is that so learned and fearless a statesman and lawyer will conduct the case to his fullest ability.

As facts were evolved in the West, it was clearly shown that the idea of enlisting the services of Senator Chandler was nothing short of an inspiration. Glover was New Hampshire born, and it was thought that, narrowed though his perspective, he must surely know of Senator Chandler as one to command a hearing no matter what the question might be. As eventually proved, Glover did indeed know of Senator Chandler, had been able to follow his career, and watched him as one who added to the fame of his native state.

How difficult it must have been to get Mr. Glover to lend his name to this action! What influences must have been brought to bear! And yet "The World" and one or two other publications have sought to make the public believe that this action was a necessary one, and that it was instituted by her son on the plea of justice and fair dealing.

And now we come to the letters referred to in one of the preceding paragraphs, one of which Mr. Chandler was induced by his employer, "The New York World," to address to Mr. Glover. The letter as taken from "The New York World" follows:

WASHINGTON, D. C., Nov. 22, 1906.

MY DEAR MR. GLOVER, — I HAVE CONSENTED to act as legal counsel concerning certain questions which arise in connection with Mrs. Mary Baker G. Eddy. They are stated in a letter from me to Mr. ———, who will call upon you and can show you my letter to him.

It is important for public and private interests that these questions should be investigated and met and fairly and justly disposed of as questions involving doubts which from large and commendable motives all good citizens, and especially all relatives of Mrs. Eddy, should help to solve and settle. Therefore, please be sure and give Mr. ——— a full hearing and possess yourself fully of all the facts which he will be able to give you. Very respectfully,

(Signed) WILLIAM E. CHANDLER.

To whom had Mr. Chandler consented? Not Mr. Glover, for Mr. Chandler had never seen him. Who then employed Mr. Chandler?

Then follows the letter of which Senator Chandler spoke in his letter to Mr. Glover, which he (Mr. Chandler) had given to the agent, who, as we have said, we had reasons for believing was Mr. Slaght, one of "The New York World's" representatives.

Clearly it is a reply to a letter from Mr. Slaght to Mr. Chandler.

WASHINGTON, D. C., Nov. 22, 1906.

MY DEAR MR. ———: I CONSENT to act as counsel concerning certain questions which arise in connection with Mrs. Mary Baker G. Eddy. It seems clear that there are several doubts about several points.

1. Mrs. Eddy MAY BE detained in the custody of strangers against her will.

2. She MAY BE so nearly worn out in body and mind as a confirmed invalid that she is incapable of deciding any questions whatever, according to any will or pleasure of her own, and necessarily, therefore, incapable of managing her business and property affairs.

3. Being thus restrained or incapable, or without relatives near her, she MAY BE surrounded by designing men who either have already sought or MAY hereafter seek to wrongfully possess themselves of her large property, or induce her to make a disposition of it contrary to what would be her sane and deliberate intentions if she were in perfect possession of her liberty and mental faculties.

These doubts have arisen in connection with investigations recently made. Beyond all question, steps should be taken to solve the doubts, to correct the wrong, if it exists, and to establish the right in every respect.

This new work should be done, if possible, in coöperation with Mrs. Eddy's son, or any other relative who may be impressed with his duties in this regard; and if the relatives do not move, it should be done by such right-minded citizens as are in sympathy with the commendable movement. Yours truly,

WILLIAM E. CHANDLER.

Let us look at this last letter a moment. Mr. Chandler notifies Mr. Slaght that he consents to act as counsel. Then we must believe that Mr. Slaght directly employed Mr. Chandler, and if Mr. Slaght, then "The New York World," and if "The New York World," then the suit is not brought by friends, and it is not brought to right wrong or protect weakness, but to punish all who dared to disagree with the representatives "The World" sent to Concord to secure a sensational story, brought to harass womanhood, and exploit a religious belief.

It will be noticed that in Mr. Chandler's letter he does not say that Mrs. Eddy Is detained in custody, nor that she Is nearly worn out in body and mind, nor that she Is surrounded by designing men; but that she MAY BE. Had Mr. Glover read that letter as carefully as you and I have read it, and had he noted that Mr. Chandler was not neglecting HIS legal opportunity, his name would never have appeared as one of the plaintiffs in this case.

## CONDEMN "WORLD" ARTICLE

[illegible] World" containing [illegible] able attack on Mrs. Eddy [illegible] Concord, the people who [illegible] protest vehemently against [illegible] immediately proceeded to [illegible] express this protest and [illegible] They thus established [illegible] confidence in Mrs. Eddy [illegible] her right adherence to duty [illegible] manifest ability to man- [illegible] overwhelming evidence of [illegible] of the community which [illegible] her presence and to whose [illegible] no person has ever been open [illegible] unchecked in their trouble [illegible] and in their good fortune.

[illegible] of Concord did at that [illegible] length in the col- [illegible] matter that there may be [illegible] disturbers in the social [illegible] gatherings and [illegible] deem it inopportune at [illegible]

[illegible] Mayor of Concord and [illegible] editor of the National R [illegible] of the foremost [illegible] [illegible] how the people of [illegible] Sunday referred to [illegible] and [illegible] that there might be [illegible] assumed that by the act [illegible] in the Associated Press [illegible].

JUDGE EDGAR ALDRICH, LITTLETON
(Master in Hearing "Mrs. Eddy and the Late Suit in Equity")
(Biographical Sketch, page 327)

THE NEW YORK
PUBLIC LIBRARY
ASTOR, LENOX AND
TILDEN FOUNDATIONS.

Hon. Charles R. Corning:

I have known Mrs. Eddy for many years. I have seen her in her carriage many times, and within the last season Mrs. Eddy has passed up Pleasant and down Green Street daily, and I know that the sole occupant of the carriage has been Mrs. Eddy. I have never met Mrs. Eddy face to face at her residence at Pleasant View until to-day.

Mrs. Eddy received me this afternoon in company with Hon. Frank S. Streeter, who has been an attorney of Mrs. Eddy's for several years.

As I had heard so much concerning the precarious condition of her health, I feared that there might be some foundation for such reports, but the fact was entirely different. I spoke to Mrs. Eddy and I listened for nearly half an hour to her conversation. She is keen of intellect and strong in memory. She is a surprising illustration of longevity, with bright eyes, emphatic expression, and an alertness rarely to be encountered in a person so venerable.

The interview is signed by Mr. Corning as Mayor of Concord, New Hampshire, and bears date Sunday, October 28, 1906.

General Frank S. Streeter:

I have been counsel for Mrs. Eddy at various times during the last ten or twelve years and have known her well. I think the last time I saw her at her home before to-day was in June of last year. I have frequently met her while driving down town.

My attention was called to the article in "The New York World" of this morning, and I was asked by my friends to call upon her and be able to speak with reference to her health.

The charge that Mrs. Eddy has been physically incapacitated and unable to leave her room for all or a part of three years, and that some one, said to be Mrs. Leonard, was impersonating Mrs. Eddy in her carriage, was already, from personal observation, known by me to be false.

Mayor Charles R. Corning drove out with me to Pleasant View about four o'clock this afternoon. I sent a note to Mrs. Eddy that we be permitted to call upon her, and the request was almost immediately granted. She arose and most cordially greeted the mayor and myself, exhibiting no appearance of weariness but a physical activity not ordinarily to be found in persons many years younger. The conversation covered a variety of subjects. She spoke briefly, without bitterness, of the false statement being circulated with reference to her health and even death, and said that she was in the hands of an infinite God in whom she had perfect trust, and that He would care for her.

Reference was made to a business transaction of some time ago, about which her memory was exact and accurate. She referred to many details of her daily work and her correspondence and study. She also inquired for a personal friend to whom she had recently sent a valuable present, and expressed her warm affection. After a very interesting half hour's talk with Mrs. Eddy we returned.

I can emphatically say that Mrs. Eddy, in spite of her advanced years, is a remarkably well preserved woman. Her health and appearance are substantially the same as when I last talked with her, something over a year ago. Her mind is not only unimpaired, but she exhibits the same clearness, alertness, strength, and vigor which have so long distinguished her.

Calvin A. Frye, Mrs. Eddy's private secretary, and a member of her household, gave out the following:

PLEASANT VIEW, CONCORD, N. H.,
October 28, 1906.

The sensational report published in "The New York World" on Sunday, October 28, 1906, to the effect that Mrs. Eddy is physically and mentally incapacitated; that for many months she has not left her room; that she does not drive daily, and that she is impersonated in her carriage by Mrs. Pamelia J. Leonard, or anybody else, is unqualifiedly false.

My position in Mrs. Eddy's household is simply that of a paid employé. She conducts her own affairs, financial and otherwise, today, as she always has, and the statement that Mrs. Eddy is dominated or controlled by any sort of "cabinet" or combination is positively false — absurdly so to any one who is acquainted with Mrs. Eddy's extraordinary ability as an executive.

Mrs. Eddy, as she herself wrote to the "Boston Herald" on October 19, 1906, is in her usual good health; she is not slowly dying from cancer, nor has she a cancer nor any chronic nor organic nor functional disease. She has never been visited by a cancer specialist, nor do I nor anybody else provide "old school surgeons and physicians, dentists and the entire range of pharmacopœia" for attendance upon Mrs. Eddy, as is stated by "The World." Had the reporters of "The World" really desired to learn whether Mrs. Leonard impersonated Mrs. Eddy on Mrs. Eddy's drive, it would have been a very simple matter for these reporters to have called at Pleasant View while Mrs. Eddy was driving and ask for Mrs. Leonard. Had they taken this very ready way of verification they would have had no trouble in seeing Mrs. Leonard herself and talking with her.

Lewis C. Strang, who was at that time Mrs. Eddy's assistant secretary, offered this brief statement:

One of my duties is to hand Mrs. Eddy into her carriage and tuck her carriage robe about her. I have been doing this since the middle of March, 1906. I therefore speak from positive knowledge when I say that in that time Mrs. Eddy has driven in her carriage daily, with the exception of one day in the early spring, when the roads were so bad that she did not go out.

Mrs. Leonard says:

Please deny the statement in "The New York World" of October 28, that I am impersonating in any way Mrs. Mary Baker G. Eddy in her carriage drives or anywhere else. I have never stepped inside of Mrs. Eddy's carriage. My address is 256 Clinton Ave., Brooklyn, New York.

Hermann S. Hering, First Reader in First Church of Christ, Scientist, Concord, New Hampshire, upon being asked, said over his signature:

CONCORD, N. H., October 28, 1906.

This is to certify that Mrs. Eddy stopped at my residence, 91 North State Street, this city, shortly after one o'clock to-day, and I had several minutes' conversation with her. The carriage door was open and she shook hands with me cordially. I have known Mrs. Eddy for a number of years, and I know that she is the same person with whom I spoke to-day. She was very evidently in excellent health and strength. I have also known Mrs. Pamelia J. Leonard for a number of years, and although I have seen Mrs. Eddy's carriage on State Street almost daily, I have never seen Mrs. Leonard occupy it. The occupant has always been Mrs. Eddy herself.

Interviews and statements were also given or made embodying the same facts, by H. Cornell Wilson, Michael Meehan, editor of "The Daily Patriot," Josiah E. Fernald, president of the National State Capital Bank, J. Wesley Plummer, deputy state treasurer, and by George H. Moses, then and since the editor of the "Concord Evening Monitor," and who was associated at that time, and is still associated, with Senator William E. Chandler and his son William D. Chandler in the ownership and publication of that paper.

The following is Mr. Moses' statement:

CONCORD, N. H., October 28, 1906.

I have had the pleasure of knowing Mrs. Eddy for more than ten years, and I have had frequent occasion to correspond with her and to meet her with reference to matters of public importance in this community. These relations with her still continue, and within a very short time I have received from her long letters written from beginning to end in her own handwriting, which, from long acquaintance, is perfectly familiar to me, and that she is indubitably alive, both physically and mentally, is well attested by these communications.

Moreover, I see Mrs. Eddy driving in her carriage through our streets almost every day, and I have, within a very few days, met her carriage and spoken to her as she drove past. That the occupant of the carriage was Mrs. Eddy *in propria persona* is accurate testimony which I am very glad to give, and had any of the newspaper representatives to whom you allude taken trouble to call upon me during their stay in Concord, I would have freely told them as I now write you.

While it would be futile to assert that Mrs. Eddy is wholly without critics or opponents in Concord, it is entirely within the bounds of accuracy to say that by the vast majority of all our people, and most emphatically by those who by their position in the community are most entitled to represent that intangible spirit which we call public opinion, she is regarded as our foremost citizen. Her numerous good works, her constant and consistent charities here, her keen interest in all that makes for the betterment of the community, and her blameless, laborious, and useful life among us, all contribute to make her beloved and respected by the people of Concord, and we all hope that she may live long in her present full possession of physical, mental, and spiritual power to continue her good work among us.

(Signed) GEORGE H. MOSES, Editor "Evening Monitor."

# BOOK II

## PROCEEDINGS BEFORE JUDGE CHAMBERLIN

# Book II

## PROCEEDINGS BEFORE JUDGE CHAMBERLIN

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### EXPLANATORY NOTE

BEFORE proceeding to a consideration of the bill of particulars or petition filed by counsel for "next friends," lest those not familiar with court proceedings be falsely influenced thereby, it might be well to say that the filing of a petition means no more than a request for a right to be heard on its contents.

There is no rule of law against indulgence in any form of extravagance in a petition. All manner of claims may be made, any number of grievances may be complained of, however absurd or however impossible of proof they may be.

As a rule, a petition in court includes everything that the parties filing it hope to establish, and all too often (as was true in this case) there is not a statement in the petition capable of proof.

Simply because it bears the impress of a court, the reading of the petition of "next friends" might prejudice a person unfamiliar with court procedure who began and ended his investigation with the petition, and in view of this, it is proper to say that where serious matters are under consideration, greater latitude is nowhere allowed for vague guesses, emotional impressions, hoped-for conclusions, and extravagant opinions. Indeed, it may be said that often the weaker the case, the stronger the petition.

Counsel for "next friends," a majority of them living in Concord, saw Mrs. Eddy, in her carriage, drive through the streets, and they must have known it was Mrs. Eddy who occupied the carriage. These men must have known also that Mrs. Eddy was not being imposed upon by the friends around her, and yet there was embodied in their petition a denial of these things.

## THE PETITION OF "NEXT FRIENDS"

THE petition of Mary Baker Glover Eddy who sues by her next friends George W. Glover, Mary Baker Glover and George W. Baker *against* Calvin A. Frye, Alfred Farlow, Irving C. Tomlinson, Ira O. Knapp, William B. Johnson, Stephen A. Chase, Joseph Armstrong, Edward A. Kimball, Hermann S. Hering, and Lewis C. Strang.

1. The plaintiffs say that the said Mary Baker G. Eddy is a resident of Concord in said County of Merrimack, that the said George W. Glover and Mary Baker Glover are residents of Lead City in the State of South Dakota and that the said George W. Baker is a resident of Bangor in the State of Maine; and they further say that the defendants Frye, Tomlinson, Hering and Strang are residents of Concord, New Hampshire, and that the defendants Farlow, Knapp, Johnson, Chase and Armstrong are residents of Boston in the State of Massachusetts, and that the defendant Kimball is a resident of Chicago in the State of Illinois.

2. This section of the petition is devoted to allegations of Mrs. Eddy's inability to guard and manage her property.

3. That the said Mary Baker G. Eddy lives in her own house in said Concord under the charge and in the custody of said defendants Frye and Strang, who live in the house and keep her carefully surrounded and secluded by themselves and by household servants of their selection, and that very few persons are allowed to see her, and no one is allowed to see her except for a few minutes at one time; that the said defendant Frye while thus controlling the said Mary Baker G. Eddy, acts in a multifarious capacity, as secretary, door-keeper, butler, and sometimes as footman in livery, and the said Strang acts as associate secretary and messenger.

4. This section is taken up with references to certain claimed correspondence between Mrs. Eddy and her son, which correspondence had no bearing on the case.

5. That the said George W. Baker is the only nephew of Mary Baker G. Eddy, being the son of her brother George Sullivan Baker, that he has on several occasions during the last twenty-five years written letters to Mrs. Eddy but has never yet received from her a direct reply and only occasionally a letter from some person near her; that on November 17, 1905, he made a special effort to communicate directly with her concerning a souvenir watch which he then held once belonging to her favorite brother, Albert Baker, of whom she had written that he was, next to her mother, the very dearest of her kindred, but his respectful letter was withheld from her by her Assistant Secretary, Gilbert C. Carpenter, and her Secretary, the defendant Frye, as they said the rules of the house required, because not pertaining to the great work she had in hand, — and the last letter he wrote, dated April 6, 1906, was not even answered by said Frye, as appears by the correspondence annexed to and made a part of this bill in equity; and that he believes her to be mentally and physically unable properly to care for her person and estate and that she is surrounded by designing persons who are using her and her condition for their own selfish ends; so that he deems it to be his duty to take appropriate action in the premises.

6. That the property of the said Mary Baker G. Eddy for a long time has been and now is extensive and valuable, consisting of real and personal estate located mainly in New Hampshire and Massachusetts; and that the business of managing said property has been and is important and difficult, involving the handling of large sums of money, as receipts and expenditures, as donations to her and as donations from her, and also involving the making of contracts and the formal execution of deeds and other instruments, including powers of attorney, wills and

codicils; all which business has been done and is being done either in her name by others or by her while unfitted for the transaction thereof.

7. This section is a repetition of section four, — idle charges of Mrs. Eddy's inability to guard her property interests, as well as aiming to question the loyalty of the men and women near her.

8. That in particular certain transactions require investigation and judicial consideration, being the following:

COPYRIGHTS

There have been copyrighted in Mrs. Eddy's name many books, periodicals, and other printed publications. The most important is entitled "Science and Health, by Mary Baker Glover," first published in 1875 in Boston by the Christian Science Publishing Company and copyrighted in the same year by Mary Baker Glover. The last edition is that of 1907, being entitled "Science and Health, with Key to the Scriptures, by Mary Baker G. Eddy, President of Massachusetts Metaphysical College and Pastor Emeritus of The First Church of Christ, Scientist, Boston, Mass., U. S. A. Published by Joseph Armstrong, 250 Huntington Avenue, 1907."

There have been intermediate copyrights — sometimes several in one year — during the years 1877, 1878, 1881, 1883, 1885, 1886, 1890, 1894, 1901, and 1902, prior to the last on March 29, 1906, for fourteen years from June 4, 1903, and over 450,000 copies have been sold. This is the sole book of authority in the Christian Science Church, and must be read as a part of each church service. Readers cannot read from copies or manuscripts but only from the book, and before commencing to read must distinctly announce its full title and give the author's name. Teachers, students, and members are required to purchase copies. It is sold at prices from $3.18 to $6.00 per copy. A complete concordance to "Science and Health" copyrighted in 1903 is sold at $5.00 per copy.

The "Church Manual" reached its twenty-eighth edition in 1903 and sells in large numbers at $1.00 per copy.

"Retrospection and Introspection" is the title of a book written by Mrs Eddy, which is a biographical sketch of the author and was copyrighted in 1891 and again in 1892 and has had a large sale at $1.00 per copy.

The book "Miscellaneous Writings, 1883 to 1896," sells for $2.25, $4.00, and $5.00 per copy.

In addition to the foregoing, there have been sixty different books or writings copyrighted in Mrs. Eddy's name, periodicals not included.

The periodicals are copyrighted in every issue. The names of the principal ones are:

*a.* The "Christian Science Journal."

*b.* The "Christian Science Quarterly."

*c.* "The Christian Science Herald," which in 1905 became

*d.* The German "Der Herold der Christian Science"; and

*e.* The "Christian Science Weekly," now the "Christian Science Sentinel."

Of the "Journal" the first copyright in the name of Mrs. Eddy was taken out January 31, 1898, and the last on January 12, 1907;

The first copyright of the "Quarterly" was on January 20, 1900, and the last on November 19, 1906;

The first of the "Herald," now "Der Herold," was on February 27, 1903, and the last on January 2, 1907. The first of the "Weekly," now the "Sentinel," was on September 9, 1898, and the last on January 11, 1907.

The "Christian Science Journal" is published monthly and the subscription price is $2.00 per year. Its advertising rates, payable in advance, are for church and society notices, $2.00 for each line, and for professional cards $3.00 for each line. The church and society notices in the number for December, 1906, are 971 in number and the professional cards 3333. The church notices average

four lines each and the professional cards two lines each.

Mrs. Eddy was the founder of this "Journal" and it is the official organ of her organization. She was its sole owner until an attempted recent transfer thereof to the Christian Science Publishing Company.

All Mrs. Eddy's books, writings, and periodicals are published by the Christian Science Publishing Company at Boston. Mrs. Eddy was one of the organizers of the society and for many years the personal director thereof, and the profits of the company have been very large.

The duty has always been enjoined upon Christian Scientists to give large circulation to Mrs. Eddy's works. The number of Christian Science churches is 700.

A list of members of the Mother Church at Boston, a copy of which is sold for fifty cents, shows that the number of members therein on June 5, 1906, was 39,715, besides 87 executive members and six honorary members. A charge of $1.00 is made for each change of name.

Various transfers have been made by Mrs. Eddy of her copyrights and various re-transfers made to her, and particularly the following:

On January 12, 1896, "Science and Health" and nearly all her other works were transferred by her to the defendant, Calvin A. Frye, and on October 6, 1899, he re-transferred them to her. On October 9, 1899, she transferred them to the defendant, Edward A. Kimball, and on May 21, 1906, he re-transferred them to her. In one of her transfers — that of October 8, 1890, to E. J. F. Eddy, a royalty to Mrs. Eddy of $1.00 per volume of "Science and Health" was stipulated for.

### The Metaphysical College

In 1881 Mrs. Eddy organized in Boston, under a state charter, the "Massachusetts Metaphysical College for Teaching the Pathology of Spiritual Power or Science of Metaphysical Healing." In 1889 it was closed, but in 1899 was re-opened with her as president, and continues

in existence under a board of education at 259 Huntington Avenue, Boston. The work of this college has been the education of teachers of Christian Science healing. The course of instruction in metaphysical healing has included twelve lectures — recently reduced to seven lectures, extending over only three weeks. When Mrs. Eddy began the work of instruction, she announced the plan and fixed the tuition as follows:

"When God impelled me to set a price on Christian Science mind healing, I could think of no financial equivalent for the impartation of a knowledge of that divine power which heals; but I was led to name three hundred dollars as the price for each pupil in one course of lessons at my college; a startling sum for tuition lasting barely three weeks. This amount greatly troubled me. I shrank from asking it, but was finally led by a strange Providence to accept this fee. God has since shown me in multitudinous ways the wisdom of this decision."

During the first seven years of the college life over 4000 students were taught by Mrs. Eddy. The "Christian Science Journal" for December, 1906, copyrighted 1906 by Mrs. Eddy, publishes a list of Christian Science practitioners now advertising in that monthly periodical for patients throughout the United States, from Alabama to Wyoming, numbering 3133, and also in the Dominion of Canada, Mexico, Australia, Queensland, Victoria, China, Great Britain, Ireland, Scotland, France, Germany, Holland, Italy, and Switzerland numbering 200.

The healers must be Christian Scientists who use as their only text-books the Bible and "Science and Health," and use and distribute the writings of Mrs. Eddy, discoverer and founder of Christian Science, and the publications of the Christian Science Publishing Company; and all teachers of Christian Science must take degrees at the college.

The receipts of this college from the 3333 practitioners now advertising their power of healing have been over one million dollars; and in addition hundreds of thousands of dollars have been received from persons who have

paid the $300.00 but do not now advertise for patients; but the plaintiffs are unable to state the amount nor how much Mrs. Eddy has received, nor how much has been received and retained by the defendants.

### The Mother Church

"The Mother Church," being "The First Church of Christ, Scientist, in Boston, Mass.," with its extensive membership of 40,000, has a large income.

Mrs. Eddy is Pastor Emeritus. Without her approval of the particular person selected no Church officer can be chosen. Nor can the by-law making this limitation be amended or annulled without her written consent, nor can any board of trustees or syndicates ever be formed between members of the Church except by her. The readers of the Church service cannot be elected if she objects.

No bequests from the Church can be made without her consent.

The members of the Church must believe in the doctrines of the text-book "Science and Health"; and that book and the Bible and Mrs. Eddy's other works must be their "only text-books for self-instruction in Christian Science and for teaching and practicing metaphysical healing."

Every member of the Mother Church is obliged to pay annually a per capita tax of not less than $1.00; and it is the duty of every member who can afford it to subscribe for the periodicals which are the organs of the Church.

The defendants are all members of the Mother Church; the defendants Farlow and Knapp are executive members thereof, and Christian Science doctors and healers, the defendant Tomlinson is an executive member, chairman of the board of trustees of the Concord church and a Christian Science teacher and practitioner, the defendant Johnson is an executive member, clerk of the church, and Christian Science doctor and healer, the defendant Chase is an executive member and treasurer of the church, the

defendant Armstrong is an executive member, a Christian Science doctor, and the publisher of all the Christian Science works including all those copyrighted in the name of Mrs. Eddy, the defendant Kimball is a Christian Science doctor and lecturer, the defendant Hering is an executive member, first reader of the Concord Church and a Christian Science teacher and healer, and the defendant Frye is an executive member.

### Real Estate

Mrs. Eddy has held various parcels of real estate in Boston, some of which she now owns and some of which she has conveyed to the First Church.

In Concord she has owned, and now owns, valuable real estate, including her residence. The Concord church edifice, costing $100,000, was given by her to the society at Concord. On February 12, 1898, and on other dates, she conveyed for her natural life her real estate in Concord and all the personal property thereon to the defendant Frye to hold according to the terms of a certain deed of trust made by her on said February 12, 1898. On September 5, 1901, the defendant Frye re-transferred to her all said property.

The transactions thus narrated have involved receipts and expenditures amounting to many hundred thousand dollars; probably to several millions of dollars; in a large portion of which Mrs. Eddy has had a personal, pecuniary interest, both in the receipts and payments taking place in her name and in the name of the various organizations mentioned. Her rightful income as owner of all the aforesaid copyrights, as the president of the Metaphysical College of Healing, as the head and Pastor Emeritus of the Mother Church, and as proprietor of all the real estate aforesaid has been of immense value, and has all been controlled or received by the defendants, some or all of them, and yet she has had no complete or sufficient accounting from them therefor.

9. That in view of the foregoing conditions under which the whole property of the said Mary Baker G. Eddy has

ROBERT N.
Judge in Trial of Mrs.
Biogra

ROBERT N. CHAMBERLIN, BERLIN

(Judge in Trial "Mrs. Eddy and the Late Suit in Equity")

(Biographical Sketch, page 331)

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been possessed and controlled and her whole business conducted by the defendants without sufficient intelligent expression of any wishes of hers and while she has been incapable of any complete volition concerning her property or business affairs, there is abundant reason to believe the defendants and their associates have wrongfully converted to their own private uses or otherwise misappropriated, or unlawfully diverted large sums of money and large amounts of property of the said Mary Baker G. Eddy; and the plaintiffs claim that the defendants should now be adjudged to have been trustees thereof and should be compelled to give an account thereof and to make restitution therefor.

Wherefore the plaintiffs pray:

1. That defendants be required to disclose and give account of all the business transactions aforesaid and all others relating to the property of said Mary Baker G. Eddy with which they have been connected.

2. That if they shall be found to have wrongfully received and held or disposed of any of the property of said Mary Baker G. Eddy they be required to restore the same to her, or be charged with the value thereof.

3. That they be enjoined during the pendency of the present suit in equity not to receive money or property of the said Mary Baker G. Eddy, not to pay out any money or part with any property of the said Mary Baker G. Eddy now held by them, and not to interfere with or undertake to manage or control any business or property of the said Mary Baker G. Eddy, or to do any act whatever in her name or behalf under any pretext or under any power of attorney whatever; and

4. That a receiver or receivers be appointed to take possession of all the property of the said Mary Baker G. Eddy now in the hands or under the control of the defendants or otherwise wrongfully withheld from her control by any person or persons and to take charge of and manage all her business affairs; and to make such ultimate disposition of all her estate as this court may hereafter decide to be wise and prudent; and for such further relief as to the court may seem requisite and just.

GEORGE W. GLOVER.
MARY B. GLOVER.
GEORGE W. BAKER.

On March 11, Ebenezer J. Foster Eddy of Waterbury, Vermont, and Fred W. Baker of Epsom, New Hampshire, filed in the Superior Court their petitions, wherein they joined in the bill of particulars and concurred in the prayers contained therein, as filed by George W. Glover, Mary B. Glover, and George W. Baker at the commencement of the suit.

## MRS. EDDY CREATES TRUSTEESHIP

SOME time prior to the first of March, 1907, and prior to the filing of the petition by "next friends," Mrs. Eddy had decided to divest herself of the care and labor of managing her large estate, realizing that by so doing she would be freer to devote her life to the propagation of the spiritual truths she had discovered and to the more full development and establishment of the church she had founded. After deliberating with care on how this might be done most successfully, she concluded to create a trust, appoint three men as trustees thereof, and deed to these men all of her property for their management and disposition subject to conditions outlined and defined.

After careful consideration of the qualifications of men of her acquaintance best calculated to assume such a responsibility and to discharge the duties connected therewith, she chose her cousin, Hon. Henry M. Baker, a highly respected and influential citizen of Concord, a successful business man, a lawyer of high standing, one who had won distinction in his profession at the nation's capital; Mr. Archibald McLellan, editor of her Christian Science publications, a man of whose business acumen, conservative administration, and absolute loyalty and responsibility she was well assured; and Josiah E. Fernald, president of the National State Capital Bank of Concord, the bank through which Mrs. Eddy had transacted most of her local business since making her residence in New Hampshire.

The trust was created March 6, 1907, by Mrs. Eddy's executing and delivering to her trustees on that day a deed of trust of her property and its acceptance by them. A copy of the deed follows, also the bond given by the trustees as surety:

# DEED OF TRUST

MARY BAKER G. EDDY TO HENRY M. BAKER,
ARCHIBALD MCLELLAN,
JOSIAH E. FERNALD.

KNOW ALL MEN BY THESE PRESENTS:

That I, Mary Baker G. Eddy of Concord, New Hampshire, in consideration of one dollar to me paid by Henry M. Baker of Bow, New Hampshire, Archibald McLellan of Boston, Massachusetts, and Josiah E. Fernald of Concord, New Hampshire, who are hereby constituted trustees and attorneys in fact for the purposes hereinafter set forth, do hereby grant, convey, assign, and transfer unto the said Henry M. Baker, Archibald McLellan, and Josiah E. Fernald, their heirs, successors, and assigns, all my interest of every kind and description in and to any real estate wherever situated; also all my interest of every kind and description in and to any estate, personal or mixed, which I now own or possess, including stocks, bonds, interests in copyrights, contracts, actions, and causes of action at law or in equity against any person.

TO HAVE AND TO HOLD the above granted and assigned premises, with all the privileges and appurtenances thereto belonging, unto said Henry M. Baker, Archibald McLellan, and Josiah E. Fernald, trustees, to them and their heirs, successors, and assigns; *but, in trust, nevertheless*, for the following purposes and upon the following conditions, viz.:

*First:* To manage, care for, and control all the above granted real estate and interest therein during my earthly life and, at the termination thereof, to dispose of the same in accordance with the provisions of my last will and the codicils thereto; but I hereby reserve for myself the right of occupancy and use of my homestead, "Pleasant View," in Concord, New Hampshire. I hereby also reserve all household furniture, my printed library, and all horses, carriages, tools, and other articles of use or adornment now being or in use in or about my home premises at "Pleasant View." I hereby also reserve the right to occupy and to rent for my own benefit my two houses at 385 and 387 Commonwealth Avenue, Boston, Mass.

*Second:* I give unto my trustees full power to manage, care for, control, invest, and reinvest all said trust property and the income thereof with all powers necessary or convenient for such purpose, de-

siring, however, that investments of income and reinvestments of principal shall always be made in bonds or other securities of a conservative character, having regard for the safety of the principal. It is my wish that, in the making of investments, preference shall be given to the state, government, city, and municipal bonds; but I leave this to the judgment and discretion of said trustees, relying upon said discretion being conservatively exercised.

*Third:* Said trustees shall pay to me, from time to time, out of the net income of said trust property, (1) such sums as I may need or desire for the purpose of keeping up the homestead "Pleasant View," and paying the expenses thereof and of my household, in the same general way as heretofore; (2) such sums as I may desire for my own personal expenses and for charitable purposes; and (3) such sums as I may personally desire to use for the advancement of the cause and doctrines of Christian Science as taught by me. Said trustees shall also pay and discharge whatever claims and accounts may be outstanding against me at this date.

*Fourth:* At the termination of my earthy life, this trust shall terminate, and all the personal estate then held by my said trustees shall pass to the executor of my last will and the codicils thereto, to be disposed of in accordance with the provisions thereof.

*Fifth:* Said trustees are hereby appointed my attorneys in fact and, as such, are hereby vested with full power and authority for me and in my behalf and in behalf of the trust estate hereby created, either in their own names as trustees or in my name, as they shall decide, to bring, appear in, prosecute, defend, and dispose of as in their judgment shall seem best for the protection and preservation of the trust estate, any actions, causes of action, suits at law or in equity, whether now pending or hereafter brought with reference to any matter in which I may be personally interested or the trust estate hereby created in any way affected. And I hereby give to my trustees and attorneys in fact full power and authority to employ attorneys-at-law and other agents in such matters and in all other matters pertaining to the trust estate.

*Sixth:* In case of a vacancy in said board of trustees, caused by death, refusal to act, or resignation of any of them, or for any reason, a new trustee or trustees shall be appointed by me and, in case I fail to act, said new trustee shall be appointed by the chief justice of the Supreme Court of New Hampshire for the time being, preference being given to the nomination of the remaining trustee or trustees.

*Seventh:* I direct that my trustees shall be liable only for their own acts in the management of this trust and that no trustee shall

be answerable for loss or damage which may happen to the trust property without his own wilful fault or misfeasance.

*Eighth:* I desire said trustees and their successors to furnish a surety bond or bonds to the amount of five hundred thousand dollars, and the expense thereof shall be paid from the trust fund.

*Ninth:* The trustees shall receive a reasonable payment from the trust fund for their personal services as such, and shall also be reimbursed for all expenses incurred by them in the management of the trust estate.

*Tenth:* The trustees shall render to me personally, semi-annual accounts of the trust property and the income and expense thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this sixth day of March, A. D. 1907.

MARY BAKER G. EDDY [SEAL].

Signed, sealed, and delivered in the presence of:
FRANK S. STREETER.
FRED N. LADD.

STATE OF NEW HAMPSHIRE, MERRIMACK, SS.

On this sixth day of March, personally appeared the above named Mary Baker G. Eddy and acknowledged the foregoing instrument to be her free act and deed.

Before me: FRANK S. STREETER, *Notary Public.*

[NOTARIAL SEAL.]

CONCORD, N. H., March 6, 1907.

We, Henry M. Baker, Archibald McLellan and Josiah E. Fernald, severally accept the foregoing trust and agree to perform the same according to the conditions and terms thereof; but we severally reserve the right to resign said trust.

HENRY M. BAKER,
ARCHIBALD MCLELLAN,
JOSIAH E. FERNALD,
*Trustees.*

THE BOND

KNOW ALL MEN BY THESE PRESENTS,

That we, Henry M. Baker of Bow, New Hampshire, Archibald McLellan of Boston, Massachusetts, and Josiah E. Fernald of Con-

cord, New Hampshire, as principals, and the United States Fidelity & Guaranty Company of Baltimore, Maryland, as surety, are held and firmly bound to Mary Baker G. Eddy of Concord, New Hampshire, and her executors in the sum of five hundred thousand dollars to be paid to said Mary Baker G. Eddy or her executors, to the payment whereof we bind ourselves and our heirs, firmly by these presents.

Sealed with our seals and dated the eighteenth day of March, A. D. 1907.

THE CONDITION OF THIS OBLIGATION IS, that

WHEREAS, the said Mary Baker G. Eddy, by deed duly executed and delivered on the sixth day of March, 1907, subject to certain reservations therein named, granted, conveyed, assigned and transferred unto the said Henry M. Baker, Archibald McLellan and Josiah E. Fernald, their heirs, successors and assigns, all the grantor's interest of every kind and description in and to any real estate wherever situated, also all the grantor's interest of every kind and description in and to any estate, personal or mixed, which the grantor then owned or possessed, including stocks, bonds, interest in copyrights, contracts, actions, and causes of action at law or in equity against any person, but, in trust, nevertheless, for the purposes and upon the conditions fully set forth in said trust deed; now, if said Henry M. Baker, Archibald McLellan and Josiah E. Fernald, as such trustees, shall well and truly carry out and perform all the obligations imposed upon them and each of them by and according to the terms, conditions and stipulations set forth in said trust deed, then this obligation shall be void.

HENRY M. BAKER.
ARCHIBALD MCLELLAN.
JOSIAH E. FERNALD.
THE UNITED STATES FIDELITY
& GUARANTY CO.
By ARTHUR P. MORRILL,
*Its Attorney-in-Fact.*

Signed, sealed, and delivered in the
presence of:
FRED N. LADD.
FRANK S. STREETER.

## REGARDING SECOND TRUST DEED

IMMEDIATELY after the filing of the petition it became apparent that counsel for "next friends" intended to make use of the newspapers to try their case, and the interviews given to reporters and correspondents were many and long.

If the purpose of the litigation was not an attack on a religion the belief was general that this would not have been attempted, as it is not and was not clear, beyond the desire for personal notoriety, what other motive could have suggested such a line of procedure.

But the ends sought and expected in this were not secured, and even at that early date it was not difficult to discern where the sympathies of the press and of the people lay and what was their social, civil, religious, and moral sense of duty. Newspapers that, prior thereto, if at all partisan, had taken a stand against Christian Science, became dissolved from their former attachments and with wonderful unanimity ranged themselves on the side of Mrs. Eddy and her real friends.

The reasons for this were not hard to find; they lay in the fact that the suit, as interpreted, was an assault on religion and womanhood, and such an assault has ever been, now is, and will continue to be, at cross purposes with the spirit of American fairness, and the spirit of American fairness as interpreted by the press.

There were those, however, who were of the honest opinion that Mrs. Eddy should have made some provision for the material care of her son, George W. Glover, and his family. When it became known that in the years of her knowledge of Mr. Glover and his whereabouts that she had been kind and liberal to him, had bought property for him, had furnished him with a beautiful home, and had supplied him with money, even this view of things passed.

Some time after the filing of the petition Mr. Glover made known to the people, through the medium of the press, that his mother, several weeks prior to the beginning of the suit, had made other and more extended and more permanent arrangements for him and his, and then the public became satisfied there was no excuse whatever for the institution of such proceedings. This latter provision was made by the creation of a trust; and the deed of trust by which Mrs. Eddy made what is generally recognized as ample provision for the suitable maintenance of her next of kin is herewith printed.

TRUST DEED FOR THE BENEFIT OF GEORGE W. GLOVER AND FAMILY

*First:* I, Mary Baker G. Eddy, of Concord, New Hampshire, do hereby transfer, assign, grant, and convey to Frank S. Streeter, of Concord, New Hampshire, Archibald McLellan, of Boston, Massachusetts, and Irving C. Tomlinson, of Concord, New Hampshire, who are hereby constituted trustees for the purposes herein set forth, the securities enumerated in the schedule hereto annexed, amounting at face value to the sum of one hundred and twenty-five thousand dollars; to hold the above granted and assigned securities, with all the rights and privileges thereto belonging, unto the said Frank S. Streeter, Archibald McLellan and Irving C. Tomlinson, their heirs, successors, and assigns, but, nevertheless, upon the following trusts and conditions, that is to say:

1. I direct my trustees to pay to my son George W. Glover, or for the benefit of my son George and his wife (as in the discretion of my trustees may seem best), the sum of fifteen hundred dollars annually during the lifetime of said George; and, upon his decease, to pay to his said wife, or for her benefit, such an amount annually during the balance of her life as, in the discretion of my said trustees, may seem reasonable for her comfortable support and maintenance; also to pay the taxes and insurance on their homestead in Lead, South Dakota, and keep the buildings thereon in reasonable repair.

2. I direct my trustees to pay to my granddaughter, Mary B. Glover, the sum of five hundred dollars annually until the termination of the trust hereby created or until her decease, if that event shall happen before the termination of the trust.

3. I direct my trustees to pay to my grandson Gershon Glover the sum of five hundred dollars annually during my earthly life.

4. I direct my trustees to pay the reasonable and proper expenses of my grandson George W. Glover in obtaining a liberal college education under the care and supervision of Rev. Irving C. Tomlinson, who shall receive from said trustees a reasonable and proper allowance for his services and expenses in the exercise of such care and supervision; also that my said grandson George W. Glover shall receive from the trustees such an annual allowance as, in their discretion, may seem best, until the termination of the trust hereby created or until his decease if that event shall happen before the termination of the trust.

5. I also direct that my said trustees shall pay the reasonable and proper expenses of my grandson Andrew Jackson Glover in obtaining a thorough school education, not including a college course; also that my said grandson Andrew Jackson Glover shall receive from the trustees such an allowance as, in their discretion, may seem best, until the termination of the trust hereby created or until his decease, if that event shall happen before the termination of the trust.

6. I desire that Warren S. Schell, who was the husband of my deceased granddaughter Evelyn T. Glover, shall have a home in the said homestead at Lead, South Dakota, so long as he desires and remains unmarried.

*Second:* I hereby authorize my said trustees, by their unanimous action, to expend such further sums from time to time, as, in their judgment, may seem best, for the benefit of my son George W. Glover, and his wife and their children (my grandchildren), my purpose in making this provision being to provide against unforeseen contingencies and necessities of my son and his wife and my grandchildren which may arise during the continuance of this trust.

*Third:* This trust shall continue during the life of my son George W. Glover and his wife and at least until my youngest grandchild reaches the age of twenty-one years. Upon the death of my son and his wife and the arrival of the youngest grandchild at the age of twenty-one years, this trust shall terminate and the balance of the trust property then remaining in the hands of my said trustees shall then be paid over to and become the property of my grandchildren, in equal shares, namely, the children of my son George W. Glover and his present wife; *provided*, however, that if any one or more of the beneficiaries under this trust shall directly or indirectly make any contest or opposition to my last will or to the disposition of other property by me, all right and interest of such beneficiary or beneficiaries in this trust fund shall thereupon and thereby terminate, and all their interest in this fund shall become a part of my estate and pass to the residuary legatee in my will.

*Fourth:* I give unto my trustees full power to manage, care for, control, and reinvest said trust property and securities and the income thereof, with all powers necessary or convenient for such purposes, desiring, however, that investments of income and reinvestments of principal shall always be made in bonds or other securities of a conservative character, having regard for the safety of the principal. It is my wish that in the making of investments preference shall be given to state, government, city, and municipal bonds, but I leave this to the judgment and discretion of said trustees, relying on said discretion being conservatively exercised.

*Fifth:* In case of a vacancy in said board of trustees caused by death, refusal to act, or resignation of any of them, or for any other reason, a new trustee or trustees shall be appointed by the chief justice of the Supreme Court of New Hampshire for the time being, preference being given to the nomination of the remaining trustee or trustees.

*Sixth:* I direct that my trustees shall each be liable only for his own acts in the management of this trust and that no trustee shall be answerable for loss or damage which may happen to the trust property without his own wilful default or misfeasance.

*Seventh:* I desire said trustees and their successors to furnish a surety bond or bonds and the expense thereof shall be paid from the trust fund.

*Eighth:* The trustees shall receive five per cent of the income of the trust fund for their personal services as trustees, to be divided between them as they may decide, and shall also be reimbursed for all necessary travelling expenses and all other expenses incurred by them in the management of the trust estate.

IN WITNESS WHEREOF I have hereunto set my hand and seal this twenty-fifth day of February, 1907.

(Signed) MARY BAKER G. EDDY (L. S.).

*In the presence of:*

HERMANN S. HERING.
JOSIAH E. FERNALD.

## MRS. EDDY'S PERSONAL COUNSEL

SHORTLY after the filing of the petition it became generally known that the services of Hon. Frank S. Streeter of Concord had been secured by Mrs. Eddy and that he and his associate, Mr. Allen Hollis, would be her personal counsel. Mr. Hollis is a young man of clear promise and, for one of his years, of marked achievement, but the direction of Mrs. Eddy's side of the case and, in a larger measure, the responsibility for the outcome of the issue rested on the senior member of the firm.

Events proved that it was a wise selection and that confidence in Mr. Streeter had not been misplaced. As a lawyer Mr. Streeter is in a class by himself in New Hampshire. He embodies much of that robust spirit in some way attributed to the past. He is big physically and mentally, and he is big of heart. He knows the law and the rights of the citizen under the law, and having taken a stand he has the courage to maintain it, even though he stand alone. He fights in the open and with recognized rightful weapons. Mr. Streeter represents the best in New England legal practice, and when he talks he has the undivided attention of the court he addresses. His presence is commanding, his voice full, his perception quick, his understanding clear, his grasp of his subject firm; he can sit in silence under castigation and wait with patience his opportunity to hit back; he is imperturbable, and it is this imperturbability coupled with his knowledge of every detail of his case that makes him so formidable an opponent.

At the same time Hon. Edwin G. Eastman, the attorney-general of the State of New Hampshire, was employed to represent the New Hampshire defendants, and Mr. Samuel J. Elder and Mr. William M. Morse of Boston were employed to represent the Massachusetts defendants, and defendant Kimball of Chicago, Illinois.

Prior, however, to the hearing before the Masters, a change was made in the counsel, whereby Hon. Oliver E. Branch of Manchester, New Hampshire, was substituted for Attorney-General Eastman as counsel for the New Hampshire defendants, and Mr. Eastman became associated with Mr. Streeter and Mr. Hollis as personal counsel for Mrs. Eddy.

## MR. STREETER INTERVIEWED

FOUR days subsequent to the filing of the petition by "next friends" Mr. Streeter gave out a statement to the Associated Press that tended much to clarify the atmosphere. In reply to questions he said:

Early Saturday morning I sent to Mrs. Eddy a copy of the bill in equity as published, but not yet served upon any of the defendants so far as I have knowledge. I have since had a long personal conference with her, at which this proceeding and matters connected therewith were fully discussed.

In common with her many friends, she believes that the initiative in these proceedings was not taken by her son or any other relatives, but by others who in a markedly unusual manner and by unique methods are undertaking under the disguise of court proceedings to continue the persecution begun some time ago.

From my conference with her at this time, and on other recent occasions, I am able to speak definitely and positively. Her clearness of mind and resolution of purpose are in no respect impaired. Her capacity to think clearly and to deal accurately and justly with important business affairs has never been more perfectly demonstrated than in her conference and acts in the last two weeks, and in numerous business letters I have received from her during that time.

The amount of Mrs. Eddy's property has been grossly multiplied by rumors and unfounded report. She is not possessed of large wealth as the term is used. Mrs. Eddy receives no income from the church, nor from the publication society connected with the church. Her sole income for many years has been from the copyright on her own books, and the amount from this source has been grossly overestimated.

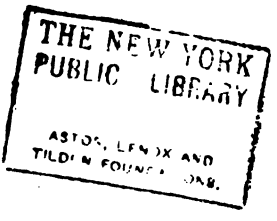
Mrs. Eddy's business affairs have been managed by herself with the aid of Mr. Frye, her devoted and loyal servant, and under the oversight and personal audit of another gentleman, whose name has not been mentioned, but who stands for all that is honorable and of good repute in financial circles in Concord.

Accurate accounts of all her property and investments, as well as of her annual income and expenditures, have been carefully kept and frequently audited. The last audit was in October, 1906. None of the defendants named except Mr. Frye has any connection whatever with the management of her property or investments and has no knowledge whatever in reference thereto, nor has any of the said de-

GENERAL FRAN[illegible]
[illegible] Counsel to M[illegible] [illegible]

GENERAL FRANK SHERWIN STREETER, CONCORD

(Senior Personal Counsel for Mrs. Eddy) (Biographical Sketch, page 333)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terms thereof, and thereafterwards, on the eighteenth day of March, executed and delivered to the grantor the bond required by the eighth article of the deed. A copy of said bond is hereto annexed and made part hereof.

3. Pending the execution of the bond, at the request of the grantor, they took delivery and possession on said March 6, 1907, of the securities, cash bank balances, documents, books of account, and other personal estate conveyed by said trustees, and, since said March 6, have received further formal assignment of all copyrights, contracts, and securities requiring the personal signature of the grantor; and they are now holding and managing all the same in accordance with the provisions of said trust deed and will continue so to do; and in due course they will cause said trust deed to be recorded in the various registries of deeds so that the record title of all the real estate so conveyed will be in the trustees.

4. This suit in equity, as appears by the record, was brought by said "next friends" as volunteers, purporting to act in behalf of Mary Baker G. Eddy, against the ten defendants, for the purpose, as is alleged in the bill, of recovering money and property alleged to have been misappropriated and unlawfully diverted by the defendants from Mrs. Eddy's estate, and for the purpose of protecting said property from further misappropriations. But, under the terms of said trust deed, it is the duty of said trustees to protect and preserve the entire estate of their grantor, and their further duty, if the allegations of the bill are true, to prosecute said defendants in behalf of the trust estate for the recovery of all money and property misappropriated or diverted as alleged, and to prosecute all other actions and causes of action against said defendants or any other person against whom the grantor, prior to said March 6, 1907, or the trust estate since that date, has any claim at law or in equity; and, with the permission and subject to the direction of the court, said trustees will prosecute for the benefit of the trust estate this and all other actions and causes of action now existing or hereafter arising in the premises.

Wherefore the said Henry M. Baker, Archibald McLellan, and Josiah E. Fernald, as such trustees, pray that they may be substituted as "next friends" or as plaintiffs in lieu of the "next friends" now of record, and that they be permitted, under the supervision and advice of the court, to prosecute said suit according to its merits and as the protection of the trust property and estate may seem to require.

HENRY M. BAKER.
ARCHIBALD MCLELLAN.
JOSIAH E. FERNALD.

## SUPPLEMENTAL BILL BY "NEXT FRIENDS"

ON the sixth day of April, 1907, "next friends" filed a supplemental bill, the same being a complaint against the action of Mrs. Eddy in creating a trusteeship, and the appointment of the three trustees named therein, and in this supplemental bill they claimed that undue influence had been exercised by those near Mrs. Eddy to induce her to create this trust, and they asked:

1. That this supplemental bill may be made a part of the original bill in equity, and that the defendants, Henry M. Baker, Archibald McLellan, and Josiah E. Fernald be required to appear therein and to make answer thereto, and

2. That the said defendants Baker, McLellan, and Fernald be required to transfer and deliver to the receiver or receivers when appointed by the court under the prayer for relief in the original bill all the property of the said Mary Baker G. Eddy taken possession of or received by them under the provisions of said deed signed March 6, 1907; and for such further relief as to the court may seem requisite and just.

# ANSWER OF TRUSTEES TO SUPPLEMENTAL BILL

FILED APRIL 15, 1907

HENRY M. BAKER, ARCHIBALD MCLELLAN, and JOSIAH E. FERNALD, trustees under trust deed executed by Mary Baker G. Eddy March 6, 1907, say that, in making and filling this answer, they do not waive but do hereby reserve all their rights to object to the maintenance of these proceedings by said "next friends," to the form and sufficiency of the pleadings, and, among other things, their rights —

1. To a speedy hearing and decision of their motion (filed April 2, 1907) for leave to intervene and be substituted as plaintiffs in place of said "next friends."

2. To apply to the court at any stage of the proceedings to investigate and determine the following among other questions:

(*a*) Whether these proceedings were brought in good faith by the so-called "next friends" for the personal benefit of Mrs. Eddy and are now being carried on for her benefit.

(*b*) Whether these proceedings (a) were brought and (b) are now being maintained by said "next friends" to protect the property interests of Mrs. Eddy.

(*c*) Whether these proceedings were initiated by said "next friends" of their own motion or by other undisclosed persons, not friends but enemies of Mrs. Eddy and her religious teachings, and not for the purpose of benefiting Mrs. Eddy or protecting her property but to harass and harry her personally and to bring reproach, if possible, upon the religion of which she is the founder.

(*d*) Whether these proceedings are illusory.

(*e*) Also any other question that may be raised as to the true status of such "next friends" before this court, in these proceedings, as volunteers purporting to act for Mrs. Eddy and for her benefit.

With the foregoing reservation of their rights, the said trustees, Baker, McLellan, and Fernald, answering said so-called supplemental bill, say:

1. With reference to the allegations in article 1 of said supplemental bill, they are informed and believe that the plaintiffs, on

March 1, 1907, brought an original bill against the ten defendants named therein, and that the same was thereafter served on said original defendants, but aver that the same has never been served upon the said trustees or any of them.

2. With reference to the allegations in article 2, the trustees, upon information and belief, deny that, immediately after the filing of said original bill March 1, 1907, the original defendants or any of them procured and induced Mrs. Eddy to execute the deed referred to; but the trustees admit that, upon the execution and delivery of the trust deed, March 6, 1907, they proceeded, at the request of Mrs. Eddy, to take possession of all the real and personal estate conveyed thereby.

3. With reference to the allegations in article 3, the trustees deny that they or any of them now are or ever have been the agents and attorneys of the original defendants or that they now are or ever have been subject to the control of said original defendants, or that they now are or ever have been a part of any combination with the original defendants or anybody else to surround and seclude the person of Mrs. Eddy or, in connection with the original defendants or anybody else, to take charge, possession, and control of her property and business and manage the same according to their own will and pleasure. They also deny any knowledge that such combination now exists or ever has existed, and that the trustees (or anybody else to their knowledge) have either completely or partially succeeded in effecting the alleged purpose of such alleged combination. They further deny that the said "next friends" ever had or now have "abundant reason" or any reasonable reason whatever to believe that the trustees or any of them have ever acted or been associated with the original defendants in any combination whatever, as alleged by the "next friends," or that the trustees, in connection with their alleged associates or any of them, or otherwise, have wrongfully misappropriated or unlawfully diverted either large or small or any sums of money and large or small or any amounts of property of Mrs. Eddy.

4. With reference to the allegations in article 4, the said trustees deny that said Mary Baker G. Eddy was not competent for any reason to execute the deed of March 6, 1907, or to contract with the trustees as set forth in said deed. The trustees also deny that the said trust deed is a device either of themselves or of the original defendants, contrived and carried out for the purpose of enabling any one to accomplish the wrongful purposes of any alleged combination or for any wrongful purpose whatever; but, on the contrary, they aver that said trust deed was executed and the property delivered to the trustees by Mrs. Eddy, without the knowledge of any of the original defendants except Mr. Frye, her private secretary.

The trustees further aver, upon information and belief, that, except said Frye, no one of the ten original defendants knew of the making of said deed until several weeks after its execution; and that, with one other exception, none of the ten defendants had any knowledge or information whatever about the execution of said trust deed and delivery of property to the trustees until March 30 or March 31, 1907.

5. The trustees further aver that they, in good faith, severally contracted on March 6, 1907, with Mrs. Eddy to accept the trust then created by her and agreed with her in writing to perform the duties of the trust according to the terms and conditions of the deed; and that, in addition to their personal written contract, they have executed and delivered to Mrs. Eddy a bond of one half a million dollars, with sufficient sureties, conditioned on their proper performance of their said contract. They further aver that the execution of said trust deed and contract was a reasonable and proper act of the grantor and for her personal benefit and protection and for the benefit and protection of her property and estate, and that the allegations by said "next friends" of the grantor's incompetency to make such deed and contract are immaterial.

6. The trustees further aver that it is their duty under said trust deed and their contract with Mrs. Eddy to protect and preserve her entire estate, and their further duty, if the allegations of the bill are true, to prosecute said ten defendants in behalf of the trust estate for the recovery of all money and property, if any, misappropriated or diverted as alleged; and they aver that they hold no relation to the ten defendants or any one else which will prevent or impair their prosecution according to its merits, for the benefit of the trust estate and in accordance with their contract with Mrs. Eddy, of this or any other action now existing or hereafter arising and always under the supervision of the court.

The trustees respectfully ask the court to order a speedy hearing upon their motion filed April 6, 1907, for leave to intervene and be substituted as plaintiffs in place of said "next friends" and that a decision of the question raised by the prayer of the "next friends" in the supplemental bill be postponed until the hearing and determination of said motion to intervene.

## SUPPLEMENTAL BILL OF TRUSTEES

ON the same day, April 15, that the trustees filed answer to the bill of "next friends," they also filed a motion, or supplemental bill, in which they requested that "next friends" be ordered to show cause why the motion to intervene should not be granted, which motion reads:

On this 15th day of April, 1907, the trustees, Henry M. Baker, Archibald McLellan, and Josiah E. Fernald, move that George W. Glover, Mary Baker Glover, George W. Baker, Fred W. Baker, and Ebenezer J. Foster Eddy, purporting to act as "next friends" of Mary Baker G. Eddy in the original proceedings brought March 1, 1907, be ordered forthwith to show cause why the motion of the trustees, verified by their oath and filed April 6, 1907, for "leave to intervene and be substituted as plaintiffs in place of said 'next friends'" should not be granted, and to that end be ordered to file without delay their objections thereto, if any, in writing, verified by their respective oaths, and that, upon the filing of such objections, if any they have, duly verified by oath, a speedy hearing on said motion be ordered, so that the validity and effect of said trust deed and the relations of the trustees as well as the relations of said George W. Glover, Mary Baker Glover, George W. Baker, Fred W. Baker, and Ebenezer J. Foster Eddy, to these proceedings, so far as the same may be affected by the execution and delivery of said trust deed and the property conveyed thereby to the trustees, may be determined by the court upon a full consideration of all material facts.

## THE ANSWER OF CALVIN A. FRYE

FILED APRIL 17, 1907

1. The said defendant admits that said Mary Baker G. Eddy is a resident of Concord in said County of Merrimack, and, so far as he knows, the names and places of residence of the other persons named in paragraph 1 of said bill are correctly stated.

2. The said defendant is informed that said Mary Baker G. Eddy is 86 years of age; but he denies that her mind is or ever was so impaired by the infirmities of age and otherwise as to render her in her circumstances incapable of managing her affairs and protecting her property rights as to be able to exercise her full and unbiased will with respect thereto; and he denies that she is, or ever has been, incapable of managing her affairs and protecting her property with prudence and discretion against the undue influence, control, or fraud of others; and he denies that she is incapable of managing the present legal proceedings.

3. The defendant says that he has been in the employ of the said Mary Baker G. Eddy for about twenty-five years, and for a considerable part of said time he has acted as private secretary for her; that during all the time of his said employment her said house at Concord, and all other houses in which the said Mary Baker G. Eddy has resided during the period aforesaid, together with all persons employed and residing therein or connected therewith, has always been, at all times, under the absolute control and direction of the said Mary Baker G. Eddy; he denies that he alone or in conjunction with the said defendant Strang or others of said defendants kept the said Mary Baker G. Eddy carefully or otherwise surrounded and secluded, either by themselves or by house-

hold servants selected for that purpose by himself and the said Strang or other of the said defendants.

The said defendant cannot state how many persons see the said Mary Baker G. Eddy at her said house or elsewhere, nor does he know the exact length of time by her allowed to them when calling upon her, but he says that the said Mary Baker G. Eddy is and for a long time has been engaged in important religious and literary work, which, together with the transaction of her business affairs, consumes her entire time, and that, by her express direction and the rules adopted by her in the allotment of her time, only such persons as have the most important matters concerning which they wish to consult her are at any time seen by her; that the said Mary Baker G. Eddy determines for herself whom she will see, and the length of time that will be given for that purpose.

He denies that he ever personally or in conjunction with the said Strang or other of said defendants refused to allow any person or persons to see the said Mary Baker G. Eddy or that he has prescribed or limited the time to be allowed to persons desiring to confer with her except in accordance with the rules prescribed by the said Mary Baker G. Eddy for the conduct of her household and business.

4. Respecting the matters alleged in paragraph 4 of the said bill of complaint, the said defendant says that he is advised that the greater part, if not all of the same, is wholly immaterial, and upon this question the said defendant asks the judgment of the court. But as to such of said allegations as shall be found to be material, the defendant does not admit the same, but demands proof thereof.

5. The said defendant denies so much of paragraph 5 of said plaintiff's bill as apparently alleges that said Mary Baker G. Eddy is mentally and physically unable properly to care for her person and estate, and that she is surrounded by designing persons who are using her and her condition

for their own selfish ends. As to all other allegations therein set forth the defendant is advised that the same are immaterial; but if any of said allegations shall be found by the court to be material, the defendant does not admit the same, but demands proof thereof.

6. The defendant denies so much of paragraph 6 in said bill as apparently alleges that the said Mary Baker G. Eddy has been and is transacting business either in her name by others, or by herself while unfitted for the transaction thereof, and as to all other allegations in said paragraph set forth the defendant is advised that the same are immaterial, but if the court shall find that the same are material, the defendant does not admit such allegations, but demands proof thereof.

7. The said defendant denies that he now is or ever has been engaged in a combination with the other defendants, or any of them, or with any other persons, either to surround and seclude the person of the said Mary Baker G. Eddy or to take charge, possession, and control of all her property and business affairs and manage the same solely according to his or their own will and pleasure; he denies that any such combination has ever been effected or ever was attempted or contemplated by himself or with the other defendants, or either or any of them; and he denies that any act by the said Mary Baker G. Eddy, conveying property during many late years, has been controlled and directed by himself, nor, as he is informed and believes, by any other of the said defendants; and the defendant denies that the said Mary Baker G. Eddy is and has been for many late years not legally responsible for the acts done by her, and unfit to manage and control her business and property, but, on the contrary thereof, he avers that the said Mary Baker G. Eddy always has, as he is informed and believes, most intelligently directed and managed her business affairs.

8. The defendant says that he is advised that the matters set forth in paragraph 8 of said bill in respect

to copyrights, the Metaphysical College, the Mother Church, and the real estate are immaterial, but, if any part thereof shall be found by the court to be material, so far as relates to this defendant, he does not admit the same, but demands proof thereof.

9. And the said defendant answering further says that he denies that either he alone or with the other defendants and their associates acting with him have ever wrongfully converted to his or their own use or have otherwise misappropriated or unlawfully diverted large sums of money and large amounts of property of the said Mary Baker G. Eddy, or any sum or amount whatsoever; and he denies there is "abundant" or any reason whatever to believe that such acts ever were committed by himself alone or in conjunction with the other said defendants, or any of them; and he hereby demands the proof of these and all like allegations against him in the said bill of complaint set forth.

And the said defendant answering further says that he believes and has good cause to believe that the said bill of complaint is not brought by the so-called "next friends" of the said Mary Baker G. Eddy in good faith, for the purpose of protecting her person and property; but, that on the contrary thereof, the same was begun without the consent and contrary to the wishes of the said Mary Baker G. Eddy, as said persons now pretending to act as "next friends" well know; and the said defendant charges that in his belief said action was instigated and is now being promoted and carried on by persons who are hostile to the said Mary Baker G. Eddy and the religious principles of which she is the discoverer, founder, and exponent, for the purpose of annoying the said Mary Baker G. Eddy and attempting to bring herself and the said principles into disrepute, and thereby to hinder and retard her said work.

And the defendant further says that he has no knowledge nor information respecting many of the allegations

in said bill set forth, but he hereby demands the proof of all material matters therein contained not herein specifically admitted, and he hereby offers to appear at any and all times to answer further whenever thereto required; hereby reserving to himself the right to object to the legal sufficiency of the said bill whenever there may be proper occasion so to do, and hereby reserving the right to make such supplemental answers as may be necessary by reason of any change in the parties to or the form of the proceedings now pending in this court.

## ANSWER OF OTHER NEW HAMPSHIRE DEFENDANTS

THE separate answers of Irving C. Tomlinson, Hermann S. Hering, and Lewis C. Strang, the other New Hampshire defendants, were identical with that of Mr. Frye, with the exception of Section IV of said answers, which reads as follows:

The said defendant is informed that said Mary Baker G. Eddy is eighty-six years of age; but he denies that her mind now is or ever was so impaired by the infirmities of age and otherwise as to render her in her circumstances incapable of so understanding her property rights as to be able to exercise her full and unbiased will with respect thereto; and he denies that she is, or ever has been, incapable of managing her affairs and protecting her property with prudence and discretion against the undue influence, control, or fraud of others; and he denies that she is incapable of managing the present legal proceedings.

## ANSWER OF OTHER DEFENDANTS

THE Massachusetts defendants, Alfred Farlow, William B. Johnson, Ira O. Knapp, and Stephen A. Chase, united in one answer, and in that answer Edward A. Kimball of Chicago, the only defendant outside of New Hampshire and Massachusetts, joined. It follows:

These defendants, answering under oath, except the defendant Kimball, who on account of his absence craves leave to file his oath to this answer at a later date, say that in making and filing this answer they do not waive but do hereby reserve all their rights to object to the maintenance of these proceedings by said "next friends," and to the form and sufficiency of the pleadings; and with the foregoing reservation of their rights these defendants for further answer say:

1. They admit that the said Mary Baker G. Eddy is a resident of Concord in the State of New Hampshire, and that, so far as they are informed, the names and places of residence of the other parties named in the first paragraph of the plaintiffs' bill are correctly stated, except that the defendant Chase is a resident of Fall River, Massachusetts.

2. These defendants are informed, and believe, and therefore aver, that the said Mary Baker G. Eddy is eighty-six years of age, but deny that her mind now is, or ever was, so impaired by the infirmities of age, or otherwise, as to render her incapable in any way of so understanding her property rights as to be unable to exercise her free and unbiased will with respect thereto, and they deny that she is, or ever has been, incapable of managing her affairs and protecting her property against the undue influence, control, or fraud of others; or that she is incapable of taking charge of and managing the present, or any other, legal proceedings.

3. These defendants admit that the said Mary Baker G. Eddy lives in her own house in said Concord, but upon information and belief deny that she is in charge and custody of the defendants Frye and Strang, or of any one else, and say that the allegations of the third paragraph of the plaintiffs' bill are immaterial and irrelevant and upon this question ask the judgment of the court; but as to such of

said allegations as may be found to be material, the defendants hereby expressly deny the same, and call upon the plaintiffs to make such proof thereof as they may be advised.

4. These defendants say, as to the allegations in the fourth paragraph of the said bill of complaint, that they are wholly irrelevant and immaterial and pray the judgment of this court thereon; but if such allegations shall be found to be material, these defendants say that they have no knowledge thereof, and leave the plaintiffs to make such proof thereof as they may be advised.

5. These defendants say, as to the allegations in the fifth paragraph of the said bill of complaint, that they are wholly irrelevant and immaterial and pray the judgment of this court thereon; but if such allegations shall be found to be material, these defendants say that they have no knowledge thereof, and leave the plaintiffs to make such proof thereof as they may be advised.

6. These defendants say, as to the allegations in the sixth paragraph of said bill, that they have no knowledge of the property of the said Mary Baker G. Eddy, except as is hereinafter specifically set forth, and leave these plaintiffs to make such proof of the allegations concerning the same as they may be advised; but they specifically deny that she is unfitted, in any respect, for the transaction of business, and that the same has been done, or is done, in her name by others.

7. These defendants deny specifically and in detail the allegations in the seventh paragraph of the said bill of complaint, and demand proof thereof.

8. These defendants, answering the allegations of the eighth paragraph in said bill, say that they are in large part immaterial, scandalous, and irrelevant, and that they ought not to be called on to make answer thereto, and pray the judgment of this court thereon; but further answering they admit that said Mary Baker G. Eddy is the author of a literary and religious work entitled "Science and Health, with Key to the Scriptures," together with other works which have been copyrighted in her name; the defendant Armstrong admits that he is a resident of Boston and one of the executive members of the First Church of Christ, Scientist, but he denies that he is the publisher of all the Christian Science works, as alleged in the said bill, but says that he is, and has been for a number of years, the publisher of Mrs. Eddy's personal writings, and that he has periodically and fully accounted for, and turned over to her, all royalties and profits from such publications; the defendant Johnson admits that he is the clerk and an executive member of the First Church of Christ,

Scientist, and the defendant Chase admits that he is the treasurer and an executive member of said First Church of Christ, Scientist; and the defendants Farlow and Knapp admit that they are executive members of said Church. The defendant Kimball admits that he is a Christian Science lecturer, and that said Mary Baker G. Eddy, on or about October 3, 1899, transferred certain copyrights to him, and that he re-transferred the same to her, but he denies that he ever had any beneficial interest in said copyrights, or that he ever received anything therefrom. These defendants, and each of them, deny that they have received, except in the case of defendant Armstrong, as above specifically set forth, any moneys, or income, belonging to the said Mary Baker G. Eddy, or that any such income has been controlled or retained in any way by them, or any of them, and say that there has been nothing for which they, or any of them, should account or have accounted. And, except as hereinbefore specifically admitted, these defendants deny the allegations of said eighth paragraph of the bill and demand proof thereof.

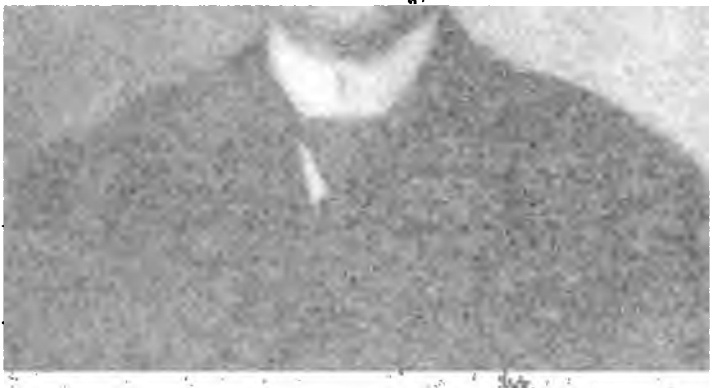
9. These defendants, answering the ninth paragraph of the plaintiffs' bill, say that they have no knowledge or information respecting the nature and extent of the property of the said Mary Baker G. Eddy, and deny that they, either individually or collectively, or in connection with the other defendants to this bill, or any of them, or with any one else, have ever wrongfully converted to their own private use, or otherwise misappropriated or unlawfully diverted, large sums of money and large amounts of property of the said Mary Baker G. Eddy, or any sum or sums whatsoever; but, on the contrary, they say that they have never, either individually or collectively, had any part thereof in their hands or possession, and deny that there is abundant, or any, reason to believe that such acts were ever committed by them, either individually or collectively or in conjunction with the other defendants to this bill, or any of them, and they demand proof of all these and other like allegations set forth against them in the bill of complaint.

And these defendants further answering say that they believe, and have good reason to believe, that the said bill of complaint is not brought by these plaintiffs as so-called "next friends" of the said Mary Baker G. Eddy in good faith for the purpose of protecting her person and property. These defendants charge that the so-called "next friends" named in the bill of complaint are such only in name, and that they have been induced to loan their names for use in said bill at the instigation and at the expense of certain evil-minded persons not related in any way to said Mary Baker G. Eddy or having any interest in her, or in her estate, and are furnishing money for the prosecution of said bill of complaint for their own evil purposes and

to advance their own selfish interests. And these defendants further charge that this action was instigated, and is now being promoted and carried on by persons who are hostile to the said Mary Baker G. Eddy and the religious principles of which she is the founder and exponent, for the further purpose of annoying the said Mary Baker G. Eddy and bringing herself and the said principles into disrepute, and thereby hindering and retarding her said work.

And these defendants further say that they have no knowledge or information respecting many of the allegations in said bill set forth, but demand proof of all material matters therein contained not herein specifically admitted, and they hereby offer to appear at any and all times to answer further whenever thereto required; but say that they ought not to make this or any answer to this bill, because it is multifarious in that it makes various and unrelated charges against the different defendants herein and seeks to determine them all in this suit, and because said bill is vague and indefinite and filled with immaterial, scandalous, and irrelevant matter and does not set forth any cause of action under the laws of the State of New Hampshire.

And these defendants hereby reserve the right to make such supplemental answers as may be, for any reason, necessary or proper.



selfish interests. And these defendants further
was instigated, and is now being promoted
who are hostile to the said Mary Baker G.
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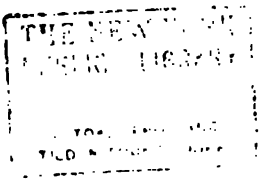
and the said principles into disrepute, and
arding her said work.

further say that they have no knowledge or
of the allegations in said bill set forth,
material matters therein contained not herein
they hereby offer to appear at any and all
whenever thereto required; but say that they
any answer to this bill, because it is multi-
various and unrelated charges against the
and seeks to determine them all in this
bill is vague and indefinite and filled with im-
and irrelevant matter and does not set forth any
the laws of the State of New Hampshire.

defendants hereby reserve the right to make such sup-
may be, for any reason, necessary or proper.

CALVIN A. FRYE, CONCORD

(Private Secretary to Mrs. Eddy for 25 years) (Biographical Sketch, page 336)



## MRS. EDDY CORRECTS THE MANY ERRORS IN "McCLURE'S MAGAZINE"

ONE of the papers made part of the pleadings was a communication to the press by Mrs. Eddy correcting the glaring errors in the December, 1906, and preceding numbers of "McClure's Magazine," wherein it purported to tell the story of her life. The article by Mrs. Eddy was published in the early days of January, 1907, two months before a single paper had been filed in the suit, and the purpose of making it a part of the record was to show how mentally competent the author was; and because the many statements of fact contained therein were possible only to Mrs. Eddy, there could be no honest doubt as to the authorship. The article follows:

It is calumny on Christian Science to say that man is aroused to thought or action only by ease, pleasure, or recompense. Something higher, nobler, more imperative, impels the impulse of Soul.

It becomes my duty to be just to the departed and to tread not ruthlessly on their ashes. The attack on me and my late father and his family in "McClure's Magazine," January, 1907, compels me as a dutiful child and the Leader of Christian Science to speak.

"McClure's Magazine" refers to my father's "tall, gaunt frame," and pictures "the old man tramping doggedly along the highway regularly beating the ground with a huge walking-stick."

My father's person was erect and robust. He never used a walking-stick. To illustrate: One time when my father was visiting Governor Pierce, President Franklin Pierce's father, the governor handed him a gold-headed walking-stick as they were about to start for church. My father thanked the governor, but declined to accept the stick, saying, "I never use a cane."

Although "McClure's Magazine" attributes to my father language unseemly, his household law, constantly enforced, was no profanity and no slang phrases. "McClure's Magazine" also declares that the Bible was the only book in his house. On the contrary, my father was a great reader.

The man whom "McClure's Magazine" characterizes as "ignorant, dominating, passionate, fearless," was uniformly dignified — a well-informed, intellectual man, cultivated in mind and manners. He was called upon to do much business for his town, making out deeds, settling quarrels, and even acting as counsel in a lawsuit involving a question of pauperism between the towns of Loudon and Bow, New Hampshire. Franklin Pierce, afterward President of the United States, was the counsel for Loudon and Mark Baker for Bow. Both entered their pleas, and my father won the suit. After it was decided, Mr. Pierce bowed to my father and congratulated him. For several years, father was chaplain of the New Hampshire State Militia, and, as I recollect it, he was justice of the peace at one time. My father was a strong believer in states' rights, but slavery he regarded as a great sin.

Mark Baker was the youngest of his father's family, and inherited his father's real estate, an extensive farm situated in Bow and Concord, New Hampshire. It is on record that Mark Baker's father paid the largest tax in the colony.

"McClure's Magazine" says, describing the Baker homestead at Bow: "The house itself was a small, square box structure of rudimentary architecture." My father's house had a sloping roof after the prevailing style of architecture at that date.

"McClure's Magazine" states: "Alone of the Bakers, he (Albert) received a liberal education. . . . Mary Baker passed her first fifteen years at the ancestral home at Bow. It was a lonely and unstimulating existence. The church supplied the only social diversion, the district school practically all the intellectual life."

Let us see what were the fruits of this "lonely and unstimulating existence." All my father's daughters were given an academic education sufficiently advanced so that they all taught school acceptably at various times and places.

My brother Albert was a distinguished lawyer. In addition to my academic training, I was privately tutored by him. He was a member of the New Hampshire legislature and was nominated for Congress, but died before the election.

"McClure's Magazine" calls my youngest brother, George Sullivan Baker, "a workman in a Tilton woollen mill." As a matter of fact, he was joint partner with Alexander Tilton, and together they owned a large manufacturing establishment in Tilton, New Hampshire. His military title of Colonel came from appointment on the staff of the governor of New Hampshire.

My oldest brother, Samuel D. Baker, carried on a large business in Boston, Mass.

Regarding the allegation by "McClure's Magazine" that all the family, "excepting Albert, died of cancer," I will say that there was never a death in my father's family reported by physician or post-mortem examination as caused by cancer.

"McClure's Magazine" says that "the quarrels between Mary, a child ten years old, and her father, a gray-haired man of fifty, frequently set the house in an uproar," and adds that these "fits" were diagnosed by Dr. Ladd as "hysteria mingled with bad temper."

My mother often presented my disposition as exemplary for her other children to imitate, saying, "When do you ever see Mary angry?" When the first edition of "Science and Health" was published, Dr. Ladd said to Alexander Tilton: "Read it, for it will do you good. It does not surprise me, it so resembles the author."

I will relate the following incident, which occurred later in life, as illustrative of my disposition:

While I was living with Dr. Patterson at his country

home in North Groton, New Hampshire, a girl, totally blind, knocked at the door and was admitted. She begged to be allowed to remain with me, and my tenderness and sympathy were such that I could not refuse her. Shortly after, however, my good housekeeper said to me:

"If this blind girl stays with you, I shall have to leave, she troubles me so much."

It was not in my heart to turn the blind girl out, and so I lost my housekeeper.

My reply to the statement that the clerk's book shows that I joined the Tilton Congregational Church at the age of seventeen is that my religious experience seemed to culminate at twelve years of age. Hence a mistake may have occurred as to the exact date of my first church membership.

The facts regarding the McNeil coat-of-arms are as follows:

Fannie McNeil, President Pierce's niece, afterward Mrs. Judge Potter, presented to me my coat-of-arms, saying that it was taken in connection with her own family coat-of-arms. I never doubted the veracity of her gift. I have another coat-of-arms, which is of my mother's ancestry. When I was last in Washington, District of Columbia, Mrs. Judge Potter and myself knelt in silent prayer on the mound of her late father, General John McNeil, the hero of Lundy Lane.

Notwithstanding that "McClure's Magazine" says, "Mary Baker completed her education when she finished Smith's grammar and reached long division in arithmetic," I was called by the Rev. R. S. Rust, D.D., principal of the Methodist Conference Seminary at Sanbornton Bridge, to supply the place of his leading teacher during her temporary absence.

Regarding my first marriage and the tragic death of my husband, "McClure's Magazine" says: "He (George Washington Glover) took his bride to Wilmington, South Carolina, and in June, 1844, six months after his marriage, he died of yellow fever. He left his young bride in a mis-

erable plight. She was far from home and entirely without money or friends. Glover, however, was a Freemason, and thus received a decent burial. The Masons also paid Mrs. Glover's fare to New York City, where she was met and taken to her father's home by her brother George. . . . Her position was an embarrassing one. She was a grown woman, with a child, but entirely without means of support. . . . Mrs. Glover made only one effort at self-support. For a brief season she taught school."

My first husband, Major George W. Glover, resided in Charleston, South Carolina. While on a business trip to Wilmington, North Carolina, he was suddenly seized with yellow fever and died in about nine days. I was with him on this trip. He took with him the usual amount of money he would need on such an excursion. At his decease, I was surrounded by friends, and their provisions in my behalf were most tender. The governor of the state and his staff, with a long procession, followed the remains of my beloved one to the cemetery.

The Freemasons selected my escort, who took me to my father's home in Tilton, New Hampshire. My salary for writing gave me ample support. I did open an infant school, but it was for the purpose of starting that educational system in New Hampshire.

The rhyme attributed to me by "McClure's Magazine" is not mine, but is, I understand, a paraphrase of a silly song of years ago. Correctly quoted, it is as follows, so I have been told:

Go to Jane Glover,
Tell her I love her;
By the light of the moon
I will go to her.

The various stories told by "McClure's Magazine" about my father spreading the road in front of his house with tan-bark and straw, and about persons being hired to rock me, I am ignorant of. Nor do I remember any such stuff as Dr. Patterson driving into Franklin, New Hampshire, with a couch or cradle for me in his wagon.

I only know that my father and mother did everything they could think of to help me when I was ill.

I was never "given to long and lonely wanderings, especially at night," as stated by "McClure's Magazine." I was always accompanied by some responsible individual when I took an evening walk, but I seldom took one. I have always consistently declared that I was not a medium for spirits. I never was especially interested in the Shakers, never "dabbled in mesmerism," never was "an amateur clairvoyant," nor did "the superstitious country folk frequently seek my advice." I never went into a trance to describe scenes far away, as "McClure's Magazine" says.

My oldest sister dearly loved me, but I wounded her pride when I adopted Christian Science, and to a Baker that was a sorry offence.

"McClure's Magazine" calls Dr. Daniel Patterson, my second husband, "an itinerant dentist." It says that after my marriage we "lived for a short time at Tilton, then moved to Franklin. . . . During the following nine years the Pattersons led a roving existence. The doctor practised in several towns, from Tilton to North Groton and Rumney."

When I was married to him, Dr. Daniel Patterson was located in Franklin, New Hampshire. He had the degree D.D.S., was a popular man, and considered a rarely skilful dentist. He bought a place in North Groton, which he fancied, for a summer resort. At that time he owned a house in Franklin, New Hampshire.

Although, as "McClure's Magazine" claims, the court record may state that my divorce from Dr. Patterson was granted on the ground of desertion, the cause nevertheless was adultery. Individuals are here to-day who were present in court when the decision was given by the judge and who know the following facts: After the evidence had been submitted that a husband was about to have Dr. Patterson arrested for eloping with his wife, the court instructed the clerk to record the divorce in my favor.

What prevented Dr. Patterson's arrest was a letter from me to this selfsame husband, imploring him not to do it. When this husband recovered his wife, he kept her a prisoner in her home, and I was also the means of reconciling the couple. A Christian Scientist has told me that with tears of gratitude the wife of this husband related these facts to her just as I have stated them. I lived with Dr. Patterson peaceably, and he was kind to me up to the time of the divorce.

The following affidavit by R. D. Rounsevel of Littleton, New Hampshire, proprietor of the White Mountain House, Fabyans, New Hampshire, the original of which is in my possession, is of interest in this connection:

About the year 1874, Dr. Patterson, a dentist, boarded with me in Littleton, New Hampshire. During his stay, at different times I had conversation with him about his wife, from whom he was separated. He spoke of her being a pure and Christian woman, and the cause of the separation being wholly on his part, that if he had done as he ought he might have had as pleasant and happy a home as one could wish for.

At that time I had no knowledge of who his wife was. Later on I learned that Mary Baker G. Eddy, the discoverer and founder of Christian Science, was the abovementioned woman.

(Signed) R. D. ROUNSEVEL.

GRAFTON, ss. January 18, 1902.

Then personally appeared R. D. Rounsevel and made oath that the within statement by him signed is true.

Before me,

H. M. WOOD,

*Justice of the Peace.*

I was obliged to be parted from my son, because after my father's second marriage my little boy was not welcome in my father's house.

Whom or what is the McClure "history" so called

presenting? Is it myself, the veritable Mrs. Eddy, whom "The New York World" declared dying of cancer, or is it her alleged double or dummy heretofore described?

If indeed it be I, allow me to thank the enterprising historians for the testimony they have thereby given of the divine power of Christian Science, which they admit has snatched me from the cradle and the grave, and made me the beloved Leader of millions of the good men and women in our own and in other countries — and all this because the truth I have promulgated has separated the tares from the wheat, uniting in one body those who love Truth; because Truth divides between sect and Science and renews the heavenward impulse; because I still hear the harvest song of the Redeemer awakening the nations, causing man to love his enemies: because "blessed are ye, when men shall revile you, and persecute you, and shall say all manner of evil against you falsely, for my sake."

MARY BAKER G. EDDY.

June 5, 1907.

## MRS. EDDY'S BOOKS EXAMINED

LONG before the suit was begun and for many months thereafter irresponsible statements charging those about Mrs. Eddy with the mismanagement of her property and the falsifying of her accounts were finding their way into the newspapers of the country, and although coming from nowhere in particular and sponsored by no one qualified to speak, yet were finding some willing believers. Error and gossip have wings, and, like evil tidings, travel apace.

It was useless for those who knew the statements to be absolutely false to deny them, and so it was deemed advisable to secure the services of some widely known and reliable firm of accountants to make a thorough examination of Mrs. Eddy's books and to give to the world a report of their findings. Harvey Chase & Company, of Boston, was selected to make the expert examination, covering every detail of Mrs. Eddy's business transactions for a number of years, and Harvey S. Chase, the senior member of the firm, personally made the investigation. His sworn statement was filed May 17, 1907, and is as herein printed:

I am the senior member of the firm of Harvey Chase & Company, public accountants and auditors, with principal offices at 27 State Street, Boston, Mass.

I have been engaged in the practice of public accounting and auditing in Boston and vicinity for ten years or more, and during that time have made examinations and reports upon the books and accounts of a number of hundred corporations, firms, banks, etc., including many municipalities and states; such as the city of Boston accounts, State of Massachusetts accounts, State of Ohio municipal accounting bureau accounts, Boston Consolidated Gas Company, New England Telephone and Telegraph Company, etc.

I am a member of the Board of Trustees of the American Association of Public Accountants, which is the national body of expert accountants, and during the year 1906 was president of the Incorporated Public Accountants of Massachusetts. I am also a "Certified Public Accountant" under the laws of the State of Rhode Island.

My firm has been engaged by Henry M. Baker, Archibald McLellan, and Josiah E. Fernald (trustees under a trust deed from Mary Baker G. Eddy, dated March 6, 1907) to examine Mrs. Eddy's books of account covering a series of years. We have been engaged for some weeks past upon this work and are still engaged upon it.

The books and papers delivered to us for this examination were as follows: Cash books running from May 16, 1887, to March 6, 1907; bond ledgers running from February 18, 1893, to March 6, 1907; check book stubs or checks running from 1900 to 1907; reports from publishers running from March 10, 1893, to March, 1907, together with various other miscellaneous books, statements, reports, papers, etc.

The examination which we have thus far made covers the books and accounts from March 10, 1893, to March 6, 1907. We divide this into two periods, namely (1) March 10, 1893, to January 1, 1899, and (2) January 1, 1899, to March 6, 1907.

Early in 1898 Mr. Fred N. Ladd, treasurer of the Loan and Trust Savings Bank, was employed by Mrs. Eddy to audit her books and accounts as kept by Calvin A. Frye, and, on January 30, 1899, Mr. Ladd made a report to Mrs. Eddy (a copy of which was exhibited to us) stating that he had examined all the bonds in the safety deposit boxes of Mrs. Eddy at the First National Bank of Concord and found a total of $236,200, par value, and that $100,000 of these were in trust for the building fund of the Christian Science Church in Concord. We found no statement of Mrs. Eddy's total possessions prior to this date, but we were informed that when her securities were brought from Boston and placed in the safety deposit boxes of the First National Bank in Concord on March 10, 1893, they then amounted to $100,000.

The statement of the auditor in January, 1899 (verified by our examination of the books), that the total bonds amounted to $236,200 ($136,200 of her own personally, and $100,000 previously donated by her and held in trust for the Christian Science Church building in Concord), established a starting point from which we proceeded to verify subsequent transactions down to March 6, 1907, and working backward from the same date, we also verified the prior transactions back to March 10, 1893, the date of the transfer of the securities to Concord.

We find from these books and accounts that aside from the real estate and promissory note, amounting on March 6, 1907, to $50,000 and some interest, Mrs. Eddy's securities consisted entirely of United States, state, city (including the State of New Hampshire and city of Concord), municipal and other bonds, and that during these years from 1893 to 1907 she owned no shares of stock in corporations. Her property on March 6, 1907, consisted of bonds of the character described, the $50,000 promissory note, three savings bank books, with

total deposits amounting to $8,614.64, balances in national banks, together with cash on hand and cash items, all of which were turned over to the trustees.

We find also that Mr. Frye kept Mrs. Eddy's books and accounts from March 10, 1893, until March 6, 1907. He had also kept the books for some years previous to 1893.

We further find from the books and accounts that Mrs. Eddy's income since March 10, 1893, has been derived almost entirely from the monthly remittances of her publishers, from interest on her bond investments, and from the rents of her Commonwealth Avenue houses. Receipts from other sources than these were relatively small in amount.

### First Period (March 10, 1893, to January 1, 1899)

During this period all the purchases and sales of bonds were not recorded upon the cash book, some bonds having been paid for by Mrs. Eddy through checks which were not reported to Mr. Frye, or at least were not recorded by him in the cash books. Mrs. Eddy's check books and checks prior to 1899 are no longer extant, and therefore the purchase and sale of additional bonds during this period cannot now be verified directly from the record of the transactions in her books. The total of the bonds purchased and entered in the cash books amounts to $112,000 (par value) during this period.

From the cash book record of coupons collected and from other data, we have been able to establish the fact that $72,400 of additional bonds (par value) were purchased during this period, and that $48,300 of bonds matured or were sold, with the result that there must have been on hand March 10, 1893, a total of $100,100 bonds at par. Our examination of the books and accounts of this first period completely satisfies us that Mrs. Eddy's total bonds March 10, 1893, were in fact $100,100 and that the interest collections from the bonds held by her between those dates have been correctlv entered in the cash book and duly accounted for.

### Receipts from Publishers — both Periods

We have also verified the monthly receipts from the sales of Mrs. Eddy's writings, as set forth in the cash books, by the monthly reports from Mrs. Eddy's publisher, Mr. Joseph Armstrong, between August 26, 1896, and March 6, 1907. Each monthly statement of the publisher was accompanied by a check, covering the balance due to Mrs. Eddy, and we have found that these checks were promptly deposited in the bank to her account. The only error in this account during this period was a difference of $3.00 in an item, which was correctly deposited in the bank, but wrongly entered in the cash book. We

are therefore able to certify that all the remittances from the publisher between August, 1896, and March, 1907, are fully and properly accounted for.

Prior to August 26, 1896, Mrs. Eddy's receipts from the sales of her writings were through royalties, and her publisher from March, 1893, to March, 1896, was E. J. Foster Eddy, whose remittances on this account were made monthly. We find that the amounts entered upon the cash books and accounted for by Mr. Frye from March 10, 1893, to August 26, 1896, agree with the amounts set forth in the monthly statements received from Dr. Eddy, with the exception of an item of $2.60 over-accounted for by Mr. Frye.

### Conclusion as to First Period (March 10, 1893, to January 1, 1899)

As a result of our examination, therefore, we certify that we have verified the books and accounts kept by Calvin A. Frye from March 10, 1893, to January 1, 1899, so far as the purchase and the sale of bonds, the receipts from interest on bonds and receipts from sales of Mrs. Eddy's writings are concerned, and that the same have been fully accounted for by Mr. Frye.

While the absence of Mrs. Eddy's cancelled checks and check stubs has prevented us from completing our verification of the disbursements in detail during this period, still our examination of the books and such other data as were accessible has led us to the opinion that the books were honestly kept by Mr. Frye during the period and that the total receipts have been properly accounted for.

### Second Period (January 1, 1899, to March 6, 1907)

For the period from January 1, 1899, to March 6, 1907, in addition to the cash books, we have examined three "bond ledgers," labelled "Volume I," "Volume II," and "Trustees Building Fund," Christian Science Church in Concord. These bond books were opened by Mr. Frye under date of February 18, 1898, and purport to set forth all of Mrs. Eddy's transactions in bonds, each purchase being entered on a separate page, with the date when bought, premium, and accrued interest paid, etc.; also on the same page are entered the amounts due on subsequent coupons and the amount received on each coupon with the date of receipt.

It was not difficult, therefore, for us to verify absolutely the items in the "bond ledgers" subsequent to January, 1899 (the date of Mr. Ladd's certificate of the amount of bonds on hand), by the corresponding entries of receipts and payments for bonds and coupons in the cash books kept by Mr. Frye.

This verification we accomplished to our complete satisfaction.

Every bond was accounted for and every coupon or other interest payment which should have been deposited during this period was in fact deposited. To this statement we can certify without qualification other than that various minor clerical errors are evident and that in two cases coupons of $50 were omitted from the cash book, although deposited to Mrs. Eddy's account in the bank. Many other clerical errors appear upon these cash books, but taken altogether the balance of errors is in Mr. Frye's favor; that is to say, Mr. Frye has made more errors against himself than against Mrs. Eddy, so that the latter or her trustees will have to pay over a balance of cash to Mr. Frye when the time for final adjustment of these accounts arrives. From the examination thus far made, it appears that the balance due from the trustees to Mr. Frye will amount to $677.41.

From our entire examination of these books we have been necessarily convinced that Mr. Frye was an honest agent for Mrs. Eddy, although mathematically a poor accountant.

The amount of bonds turned over to the trustees on March 6, 1907, was $788,770 (par value). There was also turned over a promissory note, on which was due a balance of $50,000 and some interest; also three savings bank books, on which was due $8,614.64; and cash and cash items amounting to $24,476.82, — making the total of $871,861.46. We have made no account of the real estate turned over.

### Conclusions as to Second Period (January 1, 1899, to March 6, 1907)

For the period from January 1, 1899, to March 6, 1907, we certify that the books and accounts kept by Mr. Frye accurately reflect the actual receipts and disbursements of Mrs. Eddy's accounts during those years, with the exception of clerical errors to which we have referred, and that the amounts of bonds, notes, savings bank deposits, cash in bank, and cash items which were in fact turned over to the trustees on March 6, 1907, were the amounts which should have been so turned over except that owing to the said clerical errors and to the non-payment of cash advanced by Mr. Frye out of his own funds, we find that there was an excess of cash delivered by Mr. Frye to the trustees amounting to $677.41, and that the trustees should now repay this sum to Mr. Frye.

We also certify that on Thursday, May 16, 1907, at the request of the said trustees and in the presence of Trustees Baker and Fernald, my associate, Mr. Charles H. Tuttle, and myself examined all of the bonds, both coupon and registered, and compared the same with our lists, showing bonds which should have been on hand, and found they were in agreement with the total amount of $788,770 turned over on March 6, 1907, except one item, $2500 of bonds, which matured

April 1, 1907, and was then paid and the amount duly entered in the cash book of the trustees, which was exhibited to us.

We also found that an item of $5000, city of Philadelphia bonds, was at the Farmers' and Mechanics' National Bank of Philadelphia, Pennsylvania, for transfer of registration to the names of the trustees.

## ANNUAL AUDIT OF MRS. EDDY'S ACCOUNTS

BUT we do not have to rely solely on the report of Mr. Chase for assurance that the record of Mrs. Eddy's business transactions was honestly and ably kept. These books were audited annually by Mr. Fred N. Ladd of Concord, who is treasurer of the Loan and Trust Savings Bank of that city, and his sworn statement of the findings for the several years in which he was employed to act in that capacity is submitted herewith as further proof, if proof be necessary:

I am forty-eight years of age and have always lived in Concord. I have been connected with the Loan and Trust Savings Bank of Concord for twenty-eight years and have been treasurer of said savings bank since January, 1897. I have personally known Mrs. Eddy since about 1892. Mrs. Eddy and my mother were second cousins and girlhood friends. They lived near each other, and after Mrs. Eddy came to Concord and moved to Pleasant View I came to know her.

Mrs. Eddy kept her general bank account at the National State Capital Bank, located in the same rooms as the savings bank, until seven or eight years ago, and now in adjoining rooms, making deposits in the savings bank from time to time and withdrawing them. Mr. Frye acted as messenger or clerk for Mrs. Eddy in making the deposits, but prior to 1898 all checks and orders on her accounts, either in the national bank or in the savings bank, so far as I had knowledge, were signed by her personally, and from the time I began to audit her accounts in March, 1898, to October 8, 1906 (the date of my last audit), I know that all checks and orders on her bank accounts were signed by Mrs. Eddy personally and by nobody else.

About the first of 1898 Mr. Frye wanted me to look over his books and accounts to be sure he was correct and wanted me to advise him about keeping his books, both he and Mrs. Eddy telling me that he had never had any experience or knowledge of bookkeeping. Mrs. Eddy told me that she did not care anything about having the accounts audited, that she knew Mr. Frye thoroughly and had perfect confidence in him, but that Mr. Frye wanted his accounts audited and, if it was to be done, she would like to have me do it. Mr. Frye also told me that Mrs. Eddy did not care to have the accounts audited but that he wanted it done for his own protection. I told them I would do it.

Mr. Frye sent or brought the books into the bank some time before

March, 1898, and I examined the accounts and vouchers from March, 1898, back to January 1, 1893, and wrote my certificate on the cash book under date of March 22, 1898, as follows:

"This is to certify that I have examined the cash book of Mary B. G. Eddy as kept by Calvin A. Frye from January 1, 1893, to January 1, 1898, and find that he has accounted for all moneys received and has proper vouchers for disbursements."

I found some small errors and, excepting one error which was afterward explained, I made the following certificate with reference to the books and accounts from March, 1893, to March, 1898:

"I have been able to trace the disposition of the income as shown by the cash book and have found that the funds have been properly placed to Mrs. Eddy's accounts, with few exceptions, which, on account of the bookkeeping system, I could not verify; but these cases were of minor importance and I am satisfied were all right.

"I have also seen and verified all of the bonds as shown by the bond book."

The statements in that certificate and all other certificates by me were accurately made.

My recollection is that the bond book had been recently opened at my suggestion.

I made a second audit under date of January 30, 1899, and made a certificate upon the books similar to the foregoing but covering the year 1898 only. On the same day I wrote Mrs. Eddy as follows:

"My dear Mrs. Eddy: On the fourth inst. I began to audit Mr. Frye's accounts for the year 1898, and on that date, in presence of Mr. Moore, I examined the bonds in your box at the First National Bank vault and found bonds to the amount of one hundred thirty-six thousand two hundred dollars, par value, and Mr. Frye's accounts show that the income from same, also income from other sources, has been properly accounted for. I found only one error which needs correcting, and that was made in closing his December account, amounting to one hundred twenty-five dollars, which Mr. Frye will explain to you. I have suggested to Mr. Frye that he keep a regular cash account, which I explained to him Saturday; he will find it very simple, and it will not take any more of his time. Friday the twenty-seventh inst. Mr. Moore and I examined the box containing the trust fund and we found one hundred thousand dollars in bonds, as shown by the trustees' bond book. Very sincerely,

(Signed) "Fred N. Ladd."

ARCHIBALD McLELLAN, BOSTON
(Mrs. Eddy's Trustee — Editor Christian Science Publications)
(Biographical Sketch, page 340)

THE NEW YORK
PUBLIC LIBRARY
ASTOR, LENOX AND
TILDEN FOUNDATIONS.

By "regular cash account," I meant a distribution of the disbursements under various heads, and Mr. Frye subsequently undertook so to keep the cash account as I suggested.

On February 3, 1900, I made a personal report in writing to Mrs. Eddy that I had carefully examined her accounts as kept by Mr. Frye and reported the details of my examination. I examined Mr. Frye's accounts each year thereafter and made personal reports in writing to Mrs. Eddy of the results of my examination on February 13, 1901; August 22, 1902; November 23, 1903; October 28, 1904; November 8, 1905; October 23, 1906; reporting each year that Mr. Frye had accounted for all moneys received. The last report under date of October 23, 1906, was as follows:

"I have the honor to report to you my findings in reference to auditing Mr. Frye's accounts, and I hereby certify that he has accounted for all money received and has proper vouchers for money expended. This audit covers a period from October 17, 1905, to October 8, 1906."

In making these annual audits I found frequent clerical errors in Mr. Frye's bookkeeping, but from my examination of the accounts and vouchers it was apparent that such errors were unintentional, and I always satisfied myself that Mrs. Eddy's securities, money, and income had been properly accounted for before I made my annual report to her. In these various annual reports I accurately stated to her in writing the errors which I had discovered, or marked such errors on the cash book.

Since I began to audit Mrs. Eddy's accounts, in 1898, she has never owned any stocks in corporations. Her securities always consisted of United States, state, city (including the State of New Hampshire and city of Concord), municipal and other bonds. She also had savings bank deposits and promissory notes.

On January 4, 1899, I audited her bonds in the First National Bank safety deposit vaults, and found that she then had $136,200 (par value), and on January 27, 1899, I also audited the bonds kept in another box in the same safety deposit vaults, containing the trust fund of $100,000 which Mrs. Eddy had donated for the purpose of erecting the Christian Science Church in Concord, and on January 30, 1899, reported to her in writing these amounts of bonds as I have heretofore stated. I had also verified the bonds the year before.

The bonds in the deposit vaults were also verified by me each year thereafter. I first compared the entries on the bond books with the corresponding entries upon the cash books, and I found each year that the receipts of income on bonds and for maturing or sold bonds and the amounts paid for bonds purchased were properly entered upon the cash book, and I also had before me the statements of the bond

houses through which bonds had been bought or sold during the year by Mrs. Eddy. Having verified the bond books, I then examined the bonds, and found each year that the amounts called for by the bond books were actually in the safety deposit box, and upon that examination I made my report. The safety deposit box was in the name of Mrs. Eddy, and I always had from her a written order signed by her personally when I went to make my examination of the bonds. She also sent the key to me each time.

On March 6, 1907, I was present at the execution of the trust deed by her to Mr. Baker, Mr. McLellan, and Mr. Fernald. There were also present in addition to the three trustees, Mr. Streeter and Mr. Frye. We all went into Mrs. Eddy's room at the same time. I understood she had requested me to be present. There were two originals. Mrs. Eddy greeted us all most cordially and invited us to be seated. There was some general talk, and then Mr. Streeter handed to Mrs. Eddy one of the two duplicates of the trust deed and handed the other to Mr. Baker. As I recollect, Mrs. Eddy said, "Shall I read this?" and Mr. Streeter suggested that she do so. Mrs. Eddy then said, "Shall I read it out loud?" and Mr. Streeter said he thought she would better. She then proceeded to read the deed aloud, word for word, from the beginning to the end, and her manner of reading showed that she thoroughly understood all its provisions. During the reading she paused from time to time and made comments on certain of the provisions and expressed her views. I remember that when she had read Article Fourth as follows:

"*Fourth:* At the termination of my earthly life, this trust shall terminate, and all the personal estate then held by my said trustees shall pass to the executor of my last will and the codicils thereto, to be disposed of in accordance with the provisions thereof,"

she stopped and, with emphatic voice and gesture, said, "That is just what I want." I remember that once she stopped and said, "You will note that I am reading this without glasses, and I do not have to hold it way off either." After she had finished reading, she made the remark, in substance, that she understood she was putting all her property out of her hands, and then said, "I will sign that"; and she signed both originals, and Mr. Streeter and I then signed as witnesses, and the three trustees signed the statement at the end of each deed, accepting the trust. This was all in her presence.

The foregoing is an accurate statement, as near as I can remember, of what occurred. There was no suggestion by anybody with reference to her signing the deed. When she had finished reading and made the remark above stated, she said, in substance, "I understand the document and I am ready to sign it." She executed an order, a copy of which is as follows:

"PLEASANT VIEW," CONCORD, N. H.,
March 6, 1907.

"I hereby appoint Fred N. Ladd my attorney to take all papers and all the contents of my safe boxes at First National Bank in Concord, New Hampshire, and transfer them to the trustees that I have to-day selected, namely, Hon. Henry M. Baker of Bow, New Hampshire, Archibald McLellan of Boston, Massachusetts, and Josiah E. Fernald of Concord, New Hampshire.

(Signed) "MARY BAKER G. EDDY."

Mr. Frye turned over the books and papers to the trustees, and they were brought down to the National State Capital Bank on our return from Pleasant View. I took the order signed by Mrs. Eddy and went almost directly to the vaults of the First National Bank. Mr. Baker, Mr. McLellan, Mr. Fernald, and Mr. Streeter also came. The box was delivered to the trustees by me, and the three trustees examined the securities. As the bonds were examined and called off by Mr. Baker or Mr. McLellan, Mr. Fernald checked from the bond books, and I also checked from a memorandum or register showing the name and amount of the bonds and the month when the coupons became due.

The bonds in the box as they were called exactly corresponded with the bond books which were checked by Mr. Fernald, and also with the list in the register checked by me. The total par value of the bonds then delivered to the trustees on this afternoon of March 6, 1907, was $788,770. There was also then turned over to the trustees a promissory note on which there was due $50,000 and some unpaid interest; and, at about the same time, there were also delivered three savings bank books on which was due $8,614.64. From my annual audits covering a period of fourteen years, from March, 1893, to October, 1907, and my examination of the accounts to March 6, 1907, I know that the foregoing amount of bonds turned over to the trustees was the exact amount that belonged to Mrs. Eddy, as shown by her books.

From my knowledge of Mrs. Eddy's actual income and disbursements during said fourteen years and my examination of her books and accounts showing the same and the lists of her securities examined by me from time to time, I can confidently state that no moneys or securities have been wrongfully misappropriated or diverted from Mrs. Eddy's property by Calvin A. Frye, Alfred Farlow, Irving C. Tomlinson, Ira O. Knapp, William B. Johnson, Stephen A. Chase, Joseph Armstrong, Edward A. Kimball, Hermann S. Hering, Lewis C. Strang, or by anybody else.

I also have reason to believe and do believe that, except Mr. Frye, none of said ten men have ever had anything to do with the manage-

ment, control, or disposition of any of Mrs. Eddy's income or securities or other property, or information about the same except in the most general way, and that no one outside of herself, Mr. Frye, and myself during the last nine years have had any specific information regarding her property, her income or disbursements, or her accounts, except also Mr. George H. Moore, now deceased, who examined with me the bonds in the safety deposit box.

## WHY TRUSTEES SHOULD INTERVENE

THE sworn statements of Calvin A. Frye, Henry M. Baker, Josiah E. Fernald, and Archibald McLellan that follow were made for the purpose of establishing the right of the trustees to intervene and be substituted for "next friends." They show that with the exception of Mr. Frye acting as secretary to Mrs. Eddy and of Mr. Fernald as her banker, they had nothing whatever to do with her money nor with the management of her property. The statements show that Mrs. Eddy sought no advice in the creation of the trusteeship, in the selection of her trustees, in the buying of her securities, nor otherwise, up to that time, in the management of her estate.

These statements of themselves remove every doubt as to Mrs. Eddy's competency to control and manage her estate and most effectively disprove the allegations in the petition of "next friends."

## HENRY M. BAKER

I AM sixty-six years old. I was born in Bow, New Hampshire, and my legal residence has always there remained, but I have lived in Washington a part of the time since 1863, and during most of the years have remained there during the winter, and during that time have been there engaged in the practice of law.

I was a member of Congress from New Hampshire from March, 1893, to March, 1897, being the Fifty-third and Fifty-fourth congresses.

Mrs. Mary Baker G. Eddy is a cousin of my father and was born on the Baker homestead in Bow, where I was born, but her father, with his family, removed from Bow before my birth, and I did not personally meet her until she returned to Concord to live, some eighteen or twenty years ago. Since that time I have become quite intimately acquainted with Mrs. Eddy, have been at her house several times each year, and, on several occasions, have transacted legal and other business for her at her request. During these years she has talked with me more or less confidentially about various matters, and our relations have been very friendly.

On Monday, March 4, 1907, I was informed by her counsel, Mr. Streeter, that she desired me to act as one of the trustees of her property, and about the same time I received a message from her asking me to go to Pleasant View to see her. When I arrived there, she said she had decided to place her property and business affairs in the hands of three trustees and asked me if I would serve as one of them. She said that she wanted to be relieved of the care of her property. I replied that I would do in that regard whatever she desired.

On the afternoon of March 6, by appointment I went out to Mrs. Eddy's with Mr. McLellan and Mr. Streeter, and was present with them, also with Mr. Josiah E. Fer-

nald and Mr. Fred N. Ladd, when she executed the trust deed. I think Mr. Frye was present a part if not all the time. When we went into the room, Mrs. Eddy greeted us all and asked us to be seated. Mr. Streeter handed her one of the duplicate deeds and me the other, and she read the document aloud from beginning to end, I following her reading with the copy that I had. She paused several times during the reading and commented upon the provisions of the deed, stating emphatically that she approved. When she finished reading the deed, she said in substance that she understood she was finally disposing of the control of her property, but she wanted to sign that deed, and asked Mr. Streeter where she should sign. He pointed out, and she signed one copy, whereupon I passed her the other and she signed the other. When I came to sign, some fun at my signature was made, in which she laughingly joined and commented upon it.

From her statements to me on Monday, the 4th, as to her purposes, and from all that occurred during the execution of this deed, I know that she desired to transfer this property, and that the execution of the deed by her was entirely voluntary and carried out her own views.

After a few moments spent in conversation, we all retired, taking with us two or three packages of books and papers which Mr. Frye gathered together and delivered to the trustees, and Mr. Fernald took them to the State Capital Bank.

The three trustees, Mr. Streeter, and Mr. Ladd then went to the safety deposit boxes at the First National Bank. Mr. Ladd had a written order from Mrs. Eddy to transfer the boxes to us. The boxes were opened. All of the securities, with the exception of the promissory note and the papers relating to copyrights, were in the large box. I examined the other box, and its contents were mainly with reference to Christian Science and personal matters. The promissory note and papers relating to copyrights were transferred to the larger box. After we were through with the examination of both boxes, the keys of the small box

were sent back to Mrs. Eddy, that box then containing no papers of monetary value. We examined all of the securities. Mr. McLellan and I handled them one by one and called them off, and as called they were checked by both Mr. Ladd and Mr. Fernald on lists which they had.

A statement of the property transferred by Mrs. Eddy to the three trustees is set forth in the affidavits of Mr. Harvey S. Chase and Mr. Fred N. Ladd. The trustees, acting under the authority conferred by said trust deed, have since March 6, 1907, held and managed all said property as required by their trust, and now have in their possession all of said funds and property and such additions as have arisen from the income thereof.

The trustees organized by the election of myself as chairman, Mr. Fernald as treasurer, and the appointment of Mr. Fred N. Ladd as secretary. Frequent meetings have been held, and records of the transactions of the trustees have been kept. The trustees also adopted a rule that the safety deposit box should not be opened except in the presence of two trustees, a copy of which rule and agreement is on file with the safe deposit company.

I further state that, during all the time I have been intimately acquainted with Mrs. Mary Baker G. Eddy, she has been and now is fully capable of managing all her affairs, and that she did so with wisdom and discretion.

With reference to the letter said to have been signed by George W. Glover in Washington, under date of February 25, 1907, a copy of which is filed with the affidavit of Mr. Chandler, senior counsel for the "next friends," if reference thereto is material, I have to say that I went to Pleasant View on request of Mrs. Eddy on March 1, as I now recall the date, and by her was shown the said letter and given a copy of it. Mrs. Eddy asked me what it meant and said that "George could not write that letter," that "the letter was written by an educated man who was skilled in the use of language." I replied that the letter had such evident earmarks that unquestionably some hos-

tile action was contemplated and that she would have to await whatever proceedings were intended.

I further state that the several deeds and assignments filed in court under the affidavits of DeWitt C. Howe represent completed transactions only, and that no part of the property covered thereby is now in the possession of Calvin A. Frye or other defendants, and that the same are now vested in the trustees under the trust deed dated March 6, 1907, a copy of which is on file in this honorable court.

I hereto annex two copies of the following instruments:

1. Declaration of Trust of Real Estate by Mary Baker G. Eddy to Calvin A. Frye, Trustee, dated February 12, 1898, and amendment of same, dated August 1, 1899.

2. Transfer in Trust of Personal Property, etc., Mary Baker G. Eddy to Calvin A. Frye, Trustee, dated August 11, 1899.

I depose that said instruments are the identical Declaration of Trust, Amendment thereto, and Transfer in Trust specified in deed of Calvin A. Frye to Mary Baker G. Eddy, dated September 5, 1901, and recorded in Merrimack County Registry of Deeds, Libro 330, Folio 522.

I further state that Mrs. Eddy has several times consulted me in regard to her assignments of copyrights, and I especially remember her doing so in regard to the assignments to Mr. Calvin A. Frye and to Mr. Edward A. Kimball, and I examined the papers relative thereto. These assignments were made for a special purpose, having regard to the propagation of the Christian Science doctrine, and, in each instance, were determinable at her will and, in each instance, were determined by her and are now held by her trustees under the trust deed of March 6, 1907.

By the trust deed all actions, including the one now pending, and causes of action, existing or arising in favor of Mrs. Eddy, were assigned to said trustees, and it is the duty of the trustees under said deed of trust to prosecute

the same according to their merits. In connection with my associate trustees I am ready to perform that duty. If any evidence can be obtained by the trustees, or furnished them by the "next friends" or anybody else, that the defendants have misappropriated or diverted any funds or property of Mrs. Eddy, the trustees will prosecute this action as vigorously as the evidence may warrant.

## CALVIN A. FRYE

I HAVE been in the employ of Mary Baker G. Eddy since 1882; part of my duties while so employed was to keep the accounts relating to the business transactions of Mrs. Eddy, except for about two years, when said accounts were kept by Dr. Foster (E. J. Foster Eddy); during all the aforesaid time Mrs. Eddy managed and controlled her business, personally directing the investment and disbursement of her money, without interference by myself or any other person, my position in the administration of her affairs being that of an agent and servant, without authority to act except as directed by her. Mrs. Eddy has during all the time of my said employment personally signed all checks drawn upon her funds, and all her money has been deposited and kept in her name except sums of money allowed by her for household and current expenses, which were paid by me out of the money so allowed, and for which I subsequently accounted to her.

I have never converted to my own use nor, to my knowledge, has any one else converted to his own use any money or other property of Mrs. Eddy. Neither Alfred Farlow, Irving C. Tomlinson, Ira O. Knapp, William B. Johnson, Stephen A. Chase, Joseph Armstrong, Edward A. Kimball, Hermann S. Hering, Lewis C. Strang, nor anybody else aside from Mrs. Eddy and myself, acting as her servant and under her direction, have had anything whatever to do with the management, control, or disposition of any of the funds or property of Mrs. Eddy at any time, except as herein stated.

So far as I have any knowledge, no one of said persons, nor anybody else except Mr. Fred N. Ladd as auditor, and to some extent Mr. George H. Moore, who examined the boxes at the bank with Mr. Ladd, had any information in respect to the nature and extent of Mrs. Eddy's property, except E. J. Foster Eddy when he was keeping

her accounts. Mrs. Eddy has always charged me to keep her business affairs to myself, and, so far as I know and believe, she has not communicated her business affairs to others excepting as herein stated.

I knew of the so-called trust deed at the time of its execution and was present when Mrs. Eddy signed the same; but I did not, nor did any one else, influence her in any way to make and execute the same; she then was and always has been competent to act and decide for herself in all her affairs. All the property of Mrs. Eddy as included in said deed has been turned over to said trustees.

Mrs. Eddy's securities, at her request, were moved from Boston to Concord, March 10, 1893, and they then amounted to about $100,000. In 1898 her property had considerably increased, and my responsibility with reference thereto was such that I asked her to choose an auditor, and Mrs. Eddy selected Mr. Fred N. Ladd to act in this capacity, she being acquainted with him, and he has so acted ever since.

For twenty-five years I have faithfully devoted all my time and energies to the promotion of Mrs. Eddy's interests, principally not on account of pecuniary consideration but because I fully believe in her and the doctrines which she discovered and formulated and is teaching for the benefit of mankind. As a pecuniary consideration and salary from 1882 to 1900, I received on account of my said employment from ten to twelve dollars a week, with board; from October, 1900, to April, 1903, I was paid $1000 per year and board; and from April, 1903, to March 1, 1907, I have received $100 per month and board. In addition to the wages paid me as above stated during the twenty-five years I have been in her employ, Mrs. Eddy has made unsolicited presents to me of money and jewelry, in all to the amount of not exceeding seventy-three hundred dollars. I never received anything else from her.

In 1896 Mrs. Eddy assigned to me certain copyrights of her publications, she reserving the control and the right

to have them reassigned to her whenever she so desired. I received no pecuniary benefit whatsoever therefor, and all the income therefrom, as before and since, continued to be received by her; and subsequently, in 1899, these copyrights were formally reassigned by me to Mrs. Eddy at her request.

By deed of February 12, 1898, Mrs. Eddy conveyed to me in trust her homestead known as Pleasant View, to which was added by deed of August 1, 1899, two additional lots purchased subsequent to February 12, 1898, and forming a part of Pleasant View. At the time of said transfers, Mrs. Eddy executed the declaration of trust and amendment thereto, copies of which are attached to the deposition of Henry M. Baker. On August 11, 1899, Mrs. Eddy also made an assignment of her personal property and chattels to me in trust, a copy of said assignment being annexed to Mr. Baker's affidavit.

My only connection with said transactions was to accept the conveyances and assignments at Mrs. Eddy's request. I was not informed as to the purpose of the arrangement except so far as appears in the papers themselves. While I held title to the property, no change was made in the management thereof and the properties were all treated as Mrs. Eddy's, precisely as they were prior to and have been since that time. As I recall, R. E. Walker, now judge of the Supreme Court, drew the papers for Mrs. Eddy and advised her in regard to the legal questions involved therein.

By deed of September 5, 1901, I reconveyed all the property, both real and personal, to Mrs. Eddy at her request, the trust being then terminated in accordance with the terms thereof. As I recall, Mr. Streeter drew the deed and had charge of the legal matters pertaining to the termination of the trust.

In regard to the conveyance by Mrs. Eddy to Moore, Buswell, and myself, dated January 31, 1898, and the conveyance by Buswell to Ladd, Moore, and myself, dated January 19, 1899, I recall that the premises described in

said deeds consisted of the Russell property on the southwest corner of School and State streets in Concord, which was purchased by Mrs. Eddy as a place of worship for The First Church of Christ, Scientist, in Concord, and was held by the grantees named in the foregoing deeds in trust for the benefit of said church. Mrs. Eddy paid for the necessary alterations to said buildings, and they continued to be occupied as aforesaid until demolished to make place for the new Christian Science Church. I held title as trustee until May 7, 1903, when I resigned and was succeeded by J. Wesley Plummer, and I conveyed the title held by me to the other trustees, by deed dated May 7, 1903. As I recall, Mr. Streeter and his partners, acting for Mrs. Eddy, drew the deeds, resignations, and trust papers above referred to and advised Mrs. Eddy in regard to the legal steps pertaining thereto. I derived no pecuniary benefit from either of the above-mentioned trusts excepting about five hundred dollars paid me as treasurer of the board of trustees for the building fund to cover my services as such.

The entire accumulation of my twenty-five years of service amounts to less than eleven thousand dollars, represented by deposits in savings banks, bonds, and notes secured by mortgage, which I am ready to exhibit to the trustees whenever thereto required.

## JOSIAH E. FERNALD

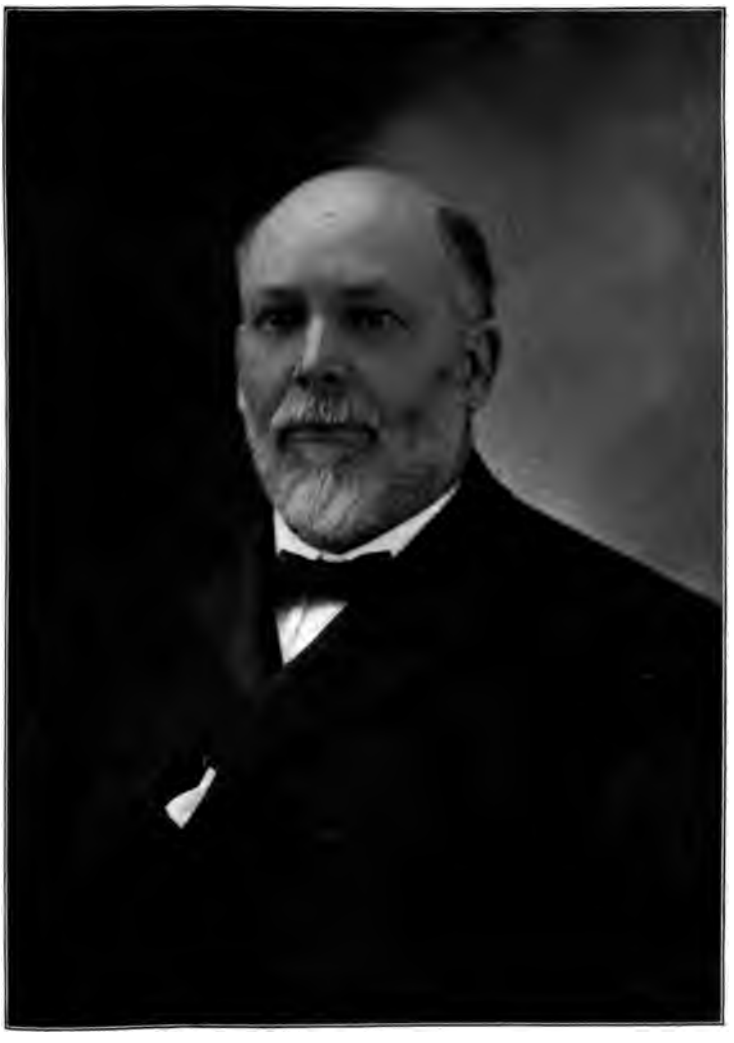
I HAVE resided in Concord, New Hampshire, since 1875. I am fifty years of age and have been connected with the National State Capital Bank of Concord, New Hampshire, since March, 1875. I was elected cashier of the bank in 1882 and was elected president in 1905, and have so continued ever since. I have been a member of the board of trustees, vice-president, and member of the investment committee of the Loan and Trust Savings Bank for many years. I am treasurer of the Capital Fire Insurance Company of Concord, New Hampshire, and have been since 1880 also a member of the executive committee of the board of directors of that company. I am treasurer of the New Hampshire Centennial Home for the Aged in Concord.

Mrs. Mary Baker G. Eddy became a depositor in the National State Capital Bank on May 16, 1890, while I was cashier, and has continued her banking business with said bank up to the present time. I became personally acquainted with Mrs. Eddy through her relations with our bank. I have called on her at various times at her request on business matters. During all Mrs. Eddy's business relations with the bank, she has personally signed every check drawn on her account and has personally endorsed all checks deposited by her.

On the morning of March 6, 1907, General Streeter called at the bank, and in the presence of Fred N. Ladd informed me that Mrs. Eddy had selected me to become one of her trustees. Mr. Streeter showed me a slip of paper on which was written in Mrs. Eddy's own handwriting, "H. M. Baker, A. McLellan, —— Fernald for my trustees. (Signed) Mary Baker G. Eddy. March 6, 1907," and he then stated the terms of the trust deed and asked if I would serve Mrs. Eddy as one of the trustees. I told him I would accept the position. He then told me

that Mrs. Eddy would like to execute the trust deed at about two o'clock that afternoon, and informed Mr. Ladd that she wished him to be present as a witness, to which he assented. I told Mr. Streeter I would go out with my team and take Mr. Ladd.

Mr. Ladd and I got there at about two o'clock, there met General Baker, Mr. McLellan, and Mr. Streeter, and we all went in together. After a few moments we all went together to Mrs. Eddy's office or sitting-room. Mrs. Eddy arose from her chair and gave us each a pleasant and cordial greeting, and requested that we be seated. She resumed her seat beside the desk. After some general talk, Mr. Streeter handed Mrs. Eddy one of the two original trust deeds which he had prepared, and handed the other to General Baker. Mrs. Eddy then said, "Shall I read it?" and Mr. Streeter answered "Yes." She began to read the document and then asked if she should read it aloud, and Mr. Streeter answered, "Perhaps you had better if you would like to." She then read the trust deed aloud from beginning to end, stopping sometimes and saying "That is what I wish," or "That is all right," or using other expressions of approval. When the clause with reference to the ultimate disposition of her property according to the terms of her last will was reached, she said very emphatically, "That is just as I want it." After reading the clause referring to the provision for a bond of $500,000 for the trustees she said, "That is all right," or "I approve of that," or some expression indicating approval. I also remember that during the reading or at the end, — I think it was at the end, — she said in substance, "I understand that I am giving up the control of all my property, but I want to sign this deed," and asked Mr. Streeter where she should sign. He pointed out the place on the paper, and she signed each of the two originals, remarking as she did so something to the effect that her hand was not quite so steady to-day as usual. Mr. Streeter and Mr. Ladd then signed as witnesses to Mrs. Eddy's signature. The trustees then signed their accept-



ATTORNEY HENRY M. BAKER, BOW
(Chairman of Board of Trustees of Mrs. Eddy's Estate)
(Biographical Sketch, page 342)

THE NEW YORK
PUBLIC LIBRARY

ASTOR, LENOX AND
TILDEN FOUNDATIONS.

ance of the terms of the trust. After General Baker signed the acceptance her attention was called to his signature, and she joked him because he could not write so well as she could. I think it was during the reading that she stopped and expressed a very high opinion of Mr. Frye and what he had done for her, praising his honesty and integrity. At the very last part, and I think while I was signing, Mr. McLellan stepped around beside her desk and had a little talk with her. I was near them, and I remember her expressing to Mr. McLellan her gratification at the receipt of a Vicuna Robe and thanking him for the part he had taken in it.

Mrs. Eddy signed and gave to Mr. Ladd an order for him to transfer to the trustees the contents of the safety deposit boxes. Mr. Frye had made two bundles or packages of books and papers which Mr. Ladd and I brought with us to the State Capital Bank. Immediately after our return, General Baker, Mr. McLellan, Mr. Ladd, Mr. Streeter, and I went to the First National Bank, and Mr. Ladd deposited the order signed by Mrs. Eddy and delivered the boxes to us. There were two of them; one larger than the other. All of the bonds were in the larger box. In the smaller box, the only papers having a money value were those relating to copyrights and a promissory note on which was due $50,000 with some interest. The other papers in that box were personal to Mrs. Eddy, or relating to Christian Science matters, and after removing the copyright papers and the note to the larger box, the keys of the smaller box were sent back to Mrs. Eddy. The bonds were handled and called off by Mr. Baker and Mr. McLellan. I had the two bond books on which Mr. Frye had kept the account with each individual purchase of bonds. Mr. Ladd took the list showing when the coupons on each bond became due. As they called off, I checked from the bond books, and Mr. Ladd checked on the book which he had, and when this was finished, every bond called for by the bond books had been found and every bond found in the books was found to be accurately

recorded on the bond books and was checked by me. Each of the three trustees put his name on the signature card used by safety deposit vaults, directing that a record be made that the boxes should be opened only in the presence of at least two trustees, and that order is now on file and in force, and will continue in force. The trustees organized by electing Mr. Baker chairman, myself treasurer, and appointing Mr. Ladd secretary. Assignments of all her copyrights from Mrs. Eddy to the trustees were prepared in legal form by counsel and were subsequently executed by Mrs. Eddy, and the same have been recorded and are in my possession for the trustees.

There were quite a large number of registered bonds, and it became necessary to have Mrs. Eddy's personal signature for the transfer. With reference to these and other matters, I have seen and talked with Mrs. Eddy several times. I am quite sure that I conferred with her on March 13, March 16, and March 18. Each time I went there Mrs. Eddy seemed glad to see me and was ready to sign the transfers necessary to the completing of the transfers of the different registered bonds from herself to the trustees. I did not explain to her about the necessity of signing the transfers of the registered bonds, for she knew all about it. I had been out there several times before for similar purposes, and she fully understood what was required, and upon my calling attention on the dates named to the bonds which I had brought for transfer to the trustees, she proceeded to sign them. There must have been more than fifty of her signatures required for these transfers, and she made these signatures without hesitation and with a full understanding of what she was doing.

From my acquaintance with Mrs. Eddy during all these years, my personal business dealings and conferences with her at various times, my observation of her and what she said at the execution of the deed on March 6, and at business conferences before and since that date, her understanding of business and the way in which she has

transacted her business, I can unqualifiedly state that Mrs. Eddy has been and now is fully capable of managing all her affairs, and that she has managed all her business affairs to my knowledge with intelligence and judgment.

The trustees have been managing the funds and property delivered to them on March 6 ever since that date, and now have in their possession all of the same with such additions as have arisen from the income thereof.

By the trust deed, all actions (including the action now pending) and causes of action, existing or arising in favor of Mrs. Eddy were assigned to the trustees, and it is the duty of the trustees under said deed of trust to prosecute the same according to their merits. In connection with my associate trustees, I am ready to perform that duty. If any evidence can be obtained by the trustees or furnished them by the "next friends" or anybody else that the defendants have misappropriated or diverted any funds or property of Mrs. Eddy, the trustees will prosecute this action as vigorously as the evidence may warrant, and in order to inform ourselves how Mr. Frye had been conducting the business of Mrs. Eddy, we have employed the services of expert and public accountants, Harvey Chase & Company, who have carefully gone over all the books, accounts, papers, and memoranda from March, 1893, to March 6, 1907, and have personally examined and verified the personal property transferred to the trustees on March 6, and the affidavit of Mr. Harvey S. Chase, the senior member of that firm, will be filed in this motion in connection with the affidavit of the trustees.

## ARCHIBALD McLELLAN

I AM forty-nine years of age, and for about five years I have been editor of the "Christian Science Journal," "Christian Science Sentinel," and also editor of "Der Herold der Christian Science" since its publication began about four years ago. I have been a director of The First Church of Christ, Scientist, in Boston, somewhat more than four years.

I first saw Mrs. Eddy in Chicago in 1888, and later had some correspondence with her. I first met Mrs. Eddy to talk with her about four years ago at her home at Pleasant View, and since that date have met and talked with her at least a dozen times, and have had considerable correspondence with her. My talks and correspondence with her have been largely with reference to Christian Science publications, of which I am the editor, and also about matters connected with The First Church of Christ, Scientist, in Boston, and about the Christian Science movement, of which she is the leader.

On Tuesday, March 5, 1907, I was informed by Mrs. Eddy's counsel, Mr. Streeter, that she desired me to serve as one of the trustees of her property under the deed which was executed the following day, March 6. About two o'clock in the afternoon, March 6, with General Baker and Mr. Streeter, I drove to Pleasant View. We there met Mr. Josiah E. Fernald and Mr. Fred N. Ladd. After a short time we all went together to Mrs. Eddy's sitting-room, and all remained there until after the execution of the deed. Mr. Frye was present a part of the time at least. Mrs. Eddy was sitting beside her desk. Mrs. Eddy arose and greeted all of us most cordially by name, and on her invitation we all took seats. After some general conversation, Mr. Streeter handed her one of the two duplicate deeds and handed the other to General Baker. Mrs. Eddy asked Mr. Streeter if she

should read the deed, and he said "Yes." She then asked if she should read it aloud. I think Mr. Streeter at first suggested that she did not need to, and she began reading it to herself; then Mr. Streeter interrupted, saying, "Perhaps you had better read it aloud if you would like to." She then read the entire paper aloud with emphasis and understanding. I particularly recall that after she had read article 4, she said, "That is just what I want." At other places during the reading she stopped and commented upon the provisions of the paper, expressing her approval, and then went on with the reading. I know that she expressed herself very forcibly, that she understood that by this act she was depriving herself of her property, and I think this was just after she had finished reading. I remember she asked Mr. Streeter where she should sign, and he told her. She then signed both the originals, and she made some comment about her hand trembling, and turned to General Baker and said, laughing, "Now, cousin, you are a young man; your hand should not tremble." After she signed, Mr. Streeter and Mr. Ladd signed as witnesses, and then each one of the trustees signed an acceptance of the trust on both papers. When General Baker signed, Mr. Streeter with some pleasantry called Mrs. Eddy's attention to his signature, and that he could not write so well as she did. She laughed and made some fun of General Baker's not being able to write so well as she could. She expressed herself as pleased and relieved at the execution of the document. She expressed her confidence in Mr. Frye and greatly extolled his honesty and integrity, and my recollection is that this occurred during one of the pauses in her reading of the deed.

The foregoing is a correct statement of what occurred at the execution of this deed as near as I can recall it. There was no suggestion from anybody in my presence that she execute the deed. Her statements and her appearance indicated that she executed it of her own free will, and she seemed very much pleased to have it done.

While Mr. Fernald was signing and the papers were

being picked up, I stepped around to her side and had a short talk with her. She told me how much she appreciated the present of a Vicuna Robe which had recently been sent to her by Mr. Cox of Chicago, Illinois, through me. She spoke of its beauty and said that she had written Mr. Cox, thanking him for it. She also very warmly expressed her thanks to me for consenting to act as one of her trustees.

After we left Mrs. Eddy, Mr. Frye turned over to Mr. Fernald for the trustees two packages of books and papers. These were brought by Mr. Fernald and Mr. Ladd to the National State Capital Bank. Before we left, Mrs. Eddy gave Mr. Ladd a written order signed by her to transfer all papers and all the contents of her safety deposit boxes at the First National Bank to the trustees. Mr. Ladd with this written order, Mr. Baker, Mr. Fernald, Mr. Streeter, and I went to the bank vaults that afternoon, and Mr. Ladd delivered to us two boxes. All of the bonds and valuable papers relating to money affairs were in the large box, excepting that a promissory note on which $50,000 of principal was due was in the smaller box. We examined the smaller box and found that except the note and the copyright deeds the papers therein were mainly personal and with reference to religious matters. Mr. Fernald took the bond books which had been kept by Mr. Frye, and Mr. Ladd took another book containing lists showing when the coupons were due. Mr. Baker handed the bonds out to me; I called them off one by one, and Mr. Fernald and Mr. Ladd each checked on their respective books, and when we got through both Mr. Ladd and Mr. Fernald said that the bonds corresponded to the lists on which they were checking. The savings bank books were turned over to us immediately afterwards. Before leaving the bank vaults, Mr. Baker, Mr. Fernald, and I signed an agreement between ourselves and an order to the safe deposit company that the box was not to be opened except in the presence of two trustees, which order is on file with the safe deposit company.

The promissory note and the copyright papers were removed from the smaller box, leaving only personal papers and writings, etc., of Mrs. Eddy therein, and the keys of that box were sent back to Mrs. Eddy by Mr. Ladd.

The trustees organized by electing General Baker as chairman, Mr. Fernald as treasurer, and appointed Mr. Fred N. Ladd as secretary, who accepted the appointment and was duly sworn, and has recorded the proceedings at the various meetings of the board.

The trustees have been managing the funds since March 6, 1907, and now have in their possession all of the said funds and property and such additions as have arisen from the income thereof.

By the trust deed, all actions and causes of action, existing or arising in favor of Mrs. Eddy were assigned to said trustees, and it is the duty of the trustees under said deed of trust to prosecute the same according to their merits. In connection with my associate trustees, I am ready to perform that duty. If any evidence can be obtained by the trustees, or furnished them by the "next friends" or anybody else, that the defendants have misappropriated or diverted any funds or property of Mrs. Eddy, the trustees will prosecute this action as vigorously as the evidence may warrant.

From my acquaintance and talks with Mrs. Eddy, including the talk of March 6, 1907, above referred to, from my correspondence with her during the last four years, I state unqualifiedly that she always has been and is now fully capable of managing all her affairs, and that she executed the deed of March 6 with a full understanding of its import and purpose and because she personally desired to do it.

Pleasant View
Concord N.H. May 16, 1907.

Hon. Ludge Chamberlain
Concord N.H.

Respected Sir:

It is
over forty years that I have
attended personally
to my accounts & affairs,
to my income, investments, deposites, expenditures and to

my employees. I have personally selected all my investments except on one or two occasions and have paid for the same.

The increasing demands upon my time leaves me but little thought and yearning for more peace and to have my property

and affairs carefully
taken care of for the
persons and purposes
I have designated by my
last Will influenced
me to select a Board
of Trustees to take charge
of my property namely
Hon. Henry M. Baker
Mr. Archibald McC.
Allen Mr. Josiah E.
Fernald
I had contemplated do-
ing this before the pres-
ent proceedings were.

brought on I knew
a right about them
and I had consulted
Lawyer Shuler about
the matter.
I selected said trustees
because I had implicit
confidence in each one
of them as to honesty
and business capacity
No person influenced
or urged me to make this
selection. I found my-
self able to select the
trustees I need without
the help of others

Pleasant View
Concord. N H

I gave them any property to take care of because I wanted it protected and myself relieved of the burden of doing this.

They have agreed with me to take care of my property and I consider this agreement a great benefit to me already.

This sickness brought

without any knowledge
and is being carried
on contrary to my
wishes. I feel that
it is not for my ben-
efit in any way but
for any injury and
trouble it will cause me
and I am not need-
ed to protect any pro-
perty or property.
The present proceed-
ings test any trust
in divine Love

My personal reputation
is assailed and some
of my students and
trusted personal
friends are cruelly
unjustly and wrong-
fully accused
Mr Calvin A
Frye and others
students often ask
me to discuss per-
sons whom I desire
to see but decline
to recount briefly
I find that I can

not "serve two masters" I cannot be a Christian Scientist except I leave all for Christ

Trusting that I have not exceeded the bounds of propriety in the statements herein made by one

I remain Most Respectfully Yours

Mary Baker G. Eddy.

STATE OF NEW HAMPSHIRE,
MERRIMACK, ss.

On this sixteenth day of May, 1907, personally appeared Mary Baker G. Eddy and made oath that the statements contained in the annexed letter directed to Hon. Judge Chamberlin and dated May 16, 1907, are true, before me.

ALLEN HOLLIS,
*Justice of the Peace.*

3652 No. 39

MERRIMACK, ss.
EDDY, BY NEXT FRIENDS
GLOVER *et als.*
*vs.*
FRYE *et als.*

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AFFIDAVIT OF
MARY BAKER G. EDDY,
DATED MAY 16, 1907

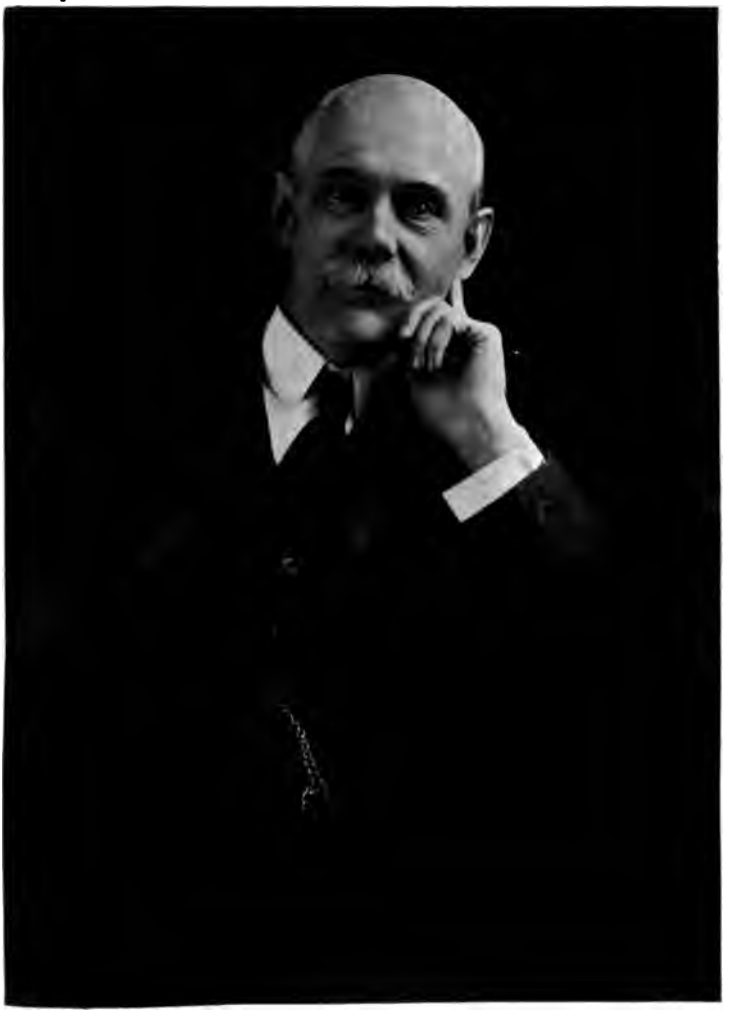
Filed May 18, 1907

JOSIAH E. FERNALD, COMMO
Trustee Mrs. Eddy's Estate) (Geographical Sketch, page 311)

...ally appeared Ma...
...ents coutained in
...Chamberlin and dat...

ALLEN HOLLIS,
*Justice of the Peace.*

No. 89



JOSIAH E. FERNALD, CONCORD

(Trustee Mrs. Eddy's Estate)

(Biographical Sketch, page 344)

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## SECOND AFFIDAVIT OF FRED N. LADD

I, FRED N. LADD of Concord, New Hampshire, on oath depose and say:

I am the Fred N. Ladd named as a grantee in the deed of Ezra M. Buswell to Fred N. Ladd *et als.*, dated January 19, 1899, and recorded in Merrimack county registry of deeds, libro 326, folio 455; and as such grantee I became one of the trustees for the Christian Science Church in Concord, New Hampshire. The premises described in said deed were used as a place of worship by The First Church of Christ, Scientist, in Concord, until the buildings then standing thereon were demolished, when the new church building was erected upon said premises.

Calvin A. Frye resigned as trustee and J. Wesley Plummer of Concord, now deputy state treasurer for New Hampshire, was appointed in his stead on May 7, 1903; and thereupon said Frye conveyed all his interests as trustee to said Plummer by deed dated May 7, 1903, and recorded in Merrimack county registry of deeds, vol. 352, page 486.

George H. Moore resigned as trustee, and Josiah E. Dwight, of Concord, was appointed in his stead on May 7, 1903; and thereupon said Moore conveyed all his interests as trustee to said Dwight by deed dated May 7, 1903, and recorded in said registry, vol. 352, page 487.

Said new church was completed in 1904, and has ever since been occupied by said First Church.

## THE ANSWER OF DEFENDANTS, CALVIN A. FRYE, IRVING C. TOMLINSON, LEWIS C. STRANG, AND HERMANN S. HERING, TO PLAINTIFFS' SUPPLEMENTAL BILL

FILED MAY 18, 1907

THE said defendants severally answering the said plaintiffs' supplemental bill, severally say that they have duly answered plaintiffs' original bill and answering the second paragraph of said supplemental bill, these defendants severally deny that the defendants to said original bill, or any of them, and in particular these defendants procured or induced the said Mary Baker G. Eddy to execute the deed referred to in said second paragraph, and except said Frye say that they knew nothing about it until after the execution thereof, and the said Tomlinson and Hering knew nothing about it until several weeks thereafter.

And in answer to the third paragraph of said supplemental bill, the said defendants Frye, Strang, Tomlinson, and Hering severally deny that the said defendants Baker, McLellan, and Fernald, or either of them, are the agents and attorneys of the defendants in plaintiffs' original bill; and they deny that said Baker, McLellan, and Fernald are subject to the control of said original defendants or any or either of them; and they severally deny that there is any combination whatever to surround and seclude the person of the said Mary Baker G. Eddy, or to take charge, possession, and control of her property and business and manage the same solely according to their own will and pleasure, by or on the part of any persons named as defendants in said original or supplemental bill; and they severally deny that there is abundant or any reason whatever to believe that any persons named in said original or supplemental bills, or their associates, have wrongfully

appropriated or unlawfully diverted large sums of money and large amounts of property, or any money or property of the said Mary Baker G. Eddy.

These defendants severally deny the allegations of the fourth paragraph specifically and in detail and further answering, repeat their allegation in their answer to the original bill that neither said bill nor this supplemental bill is brought in good faith, or for the purposes set forth in said bill, but aver that said bill and supplemental bill have been instigated by certain evil-minded persons who are promoting this litigation for their own evil purposes, wherefore, these defendants pray that they may be hence dismissed in this matter wrongfully incurred.

Which supplemental bill the defendants from Massachusetts and defendant Kimball having read, subscribed thereto, as the allegations in the said supplemental bill were supposed to apply to and were directed against them also.

## MOTION OF MARY BAKER G. EDDY

FROM and after the time of the filing of the motion by Mrs. Eddy's counsel asking that the trustees be allowed to intervene and be substituted for "next friends," earnest effort was constantly made by them to secure a hearing and have the issues settled. The case was taking on the appearance of being unnecessarily long drawn out. Mrs. Eddy, her counsel, and her friends felt that when the court had reached a full understanding of the merits of the contention all of the claims would be narrowed down to simply a question of her competency to manage her business affairs, and if these affairs were being properly managed and managed by her at the time the proceedings were instituted.

Those assisting Mrs. Eddy in the trial and friendly to her knew that she was competent; that she was surrounded by men and women who were not disposed to abuse any privileges granted them, and who would not be permitted to abuse them if so disposed; that her property rights were safeguarded, and for these reasons they were anxious that the hearing be had at the earliest possible date and the issues determined.

With this end in view, the following motion was filed by Mrs. Eddy on June 5, for a speedy trial:

1. All the allegations by her alleged "next friends" set out in said bill in equity to the effect (*a*) that she is or has been incapable of understanding and protecting her property rights; (*b*) that she is surrounded and secluded by any person or combination of persons who are or have been managing or controlling her business or other affairs; and (*c*) that such persons have wrongfully converted or misappropriated any of her property — are untrue.

2. Her property interests have been and are fully protected and there is no lawful or just occasion for the maintenance of these proceedings for any such alleged purpose.

3. The trust deed of March 6, 1907, and the appointment of trustees and attorneys thereby were her free and intelligent act, which carried out her own wishes, and the said trustees and attorneys have thereunder and thereby the full control and management of her estate, and she desires the said control and management to be continued during the remainder of her earthly life.

4. These proceedings were not brought in good faith by said alleged "next friends" for her personal benefit and are not now being carried on for that purpose, and the maintenance of these proceedings by said alleged "next friends" is unjust and injurious to herself, and is an unwarrantable interference with her personal rights under the law of the state and the established rules of equity procedure.

5. She believes and avers that the maintenance of these proceedings in her name by said alleged "next friends" is an abuse of the process of the court and is an unwarranted interference with her legal rights, and that she is by law entitled to speedy relief therefrom.

6. She believes and avers that, under our constitution and laws and the practice in this equity court, she is of right entitled to an immediate investigation, consideration, and determination by the Chancellor of the following among other questions: (*a*) Whether her property interests have been and are now fully protected and whether there is any lawful or just occasion for the maintenance of these proceedings by said "next friends" for said alleged purpose; (*b*) whether the trust deed of March 6, 1907, and the appointment of trustees and attorneys thereby were her free and intelligent act, which carried out her own wishes; (*c*) whether these proceedings were brought in good faith by said alleged "next friends" for her personal benefit and are now being carried on for that purpose.

7. She also believes and avers that she is entitled to have the prosecution of this case by her alleged "next friends" suspended until the foregoing questions, together with other questions arising therefrom, shall have been determined by the Chancellor, in such manner as will best satisfy his conscience that her representations here made are true; she also avers that said alleged "next friends" have no standing in this court of equity as parties litigant or otherwise to oppose or prevent such investigation and determination by the Chancellor.

Wherefore she prays: That this court by its presiding Justice, sitting as Chancellor in equity, may immediately investigate the questions raised by this motion and may consider and determine: (*a*) Whether her property interests have been and now are fully protected; (*b*) whether there is any occasion for having these proceedings maintained on her behalf by "next friends," so called; (*c*) whether

My personal reputation
is assailed and some
of my students and
trusted personal
friends are cruelly
unjustly and wrong-
fully accused
Mrs Calvin A
Frye and others
students often ask
me to name persons
whom I desire
to see but decline
to accuse solely
I feel that I am

not "serve two masters" I cannot be a Christian Scientist except I leave all for Christ

Trusting I shall not exceeded the bounds of propriety in the statements herein made by one

Human Ihost

Respectfully

Yours

Mary Baker G. Eddy.

## MOTION OF "NEXT FRIENDS" FOR STRIKING FROM RECORD MRS. EDDY'S MOTION OF JUNE 5, AND OTHER MOTIONS

FILED JUNE 15, 1907

THE plaintiffs in this action respectfully represent to the court that:

1. On June 5, 1907, Messrs. Streeter and Hollis, solicitors for Mary Baker G. Eddy, filed in this court a motion entitled,

"*Motion of Mary Baker G. Eddy for an Immediate Investigation of the Questions Hereby Raised and for a Speedy Decision of the Question Whether these Proceedings may be Further Maintained by the Alleged Next Friends.*"

2. That in the fourth and fifth paragraphs of said motion Mary Baker G. Eddy is made to aver that the proceedings instituted by the "next friends" in this action were not brought in good faith by the "next friends."

3. That in the seventh paragraph of said motion Mary Baker G. Eddy is made to aver that she is entitled to have the prosecution of this case by the "next friends" suspended until the question raised in said motion shall have been determined by the Chancellor.

4. That the prayer in said motion asks that the Chancellor in equity may immediately investigate among other questions, whether these proceedings were brought and are being maintained by the "next friends" in good faith, and that the other proceedings in this case may be suspended by order of the Chancellor until the questions raised in said motion may be investigated and determined by him.

5. That on the fifth day of June, 1907, this court appointed Monday the tenth day of June, 1907, at eleven o'clock in the forenoon, for a hearing on said motion.

6. That on said tenth day of June at the opening of the hearing on said motion before this court, Mr. Streeter of said firm of Streeter and Hollis, solicitors, announced that he would not at that time press upon the court for consideration the motion then pending, and asked to have a hearing on the consideration of it suspended for the time being.

7. That immediately thereafter the said Streeter improperly, untruthfully, and for the purpose of being quoted in the newspapers — to one or more of which he caused to be furnished copies of his remarks for purposes of publication — proceeded to argue the question of good faith of the "next friends" as set forth in paragraphs four and five of said motion, and in said argument he made statements apparently as of his own knowledge, and made improper and untrue statements as to the good faith of the "next friends," and made them for the purposes of newspaper publication.

8. That said statements of the said Streeter reflecting upon the good faith of the "next friends," in addition to being untrue, were designed to hinder the orderly course of justice, and were designed to prejudice the plaintiffs in the trial of this action.

9. That the "next friends" are and always have been proceeding in good faith in this action; that no other persons or parties whomsoever have any interest in, control over, or direction of this action whatsoever, and never had; that this action is none other than what it purports to be, namely, an action brought exclusively by the next of kin in good faith and from honest motive against the several defendants.

10. That in view of the foregoing facts said alleged motion by Mary Baker G. Eddy, filed June 5 as afore-

said, should be stricken from the files; or a hearing on the same should be ordered, in so far as the good faith of the "next friends" in said motion is questioned, or that said motion should be denied by this court.

11. WHEREFORE, the "next friends" pray

(*a*) That said alleged motion of Mary Baker G. Eddy, filed June 5, 1907, be stricken from the record, or

(*b*) That a hearing be ordered thereon in so far as the good faith of the "next friends" is questioned therein and proofs ordered submitted, or

(*c*) That said motion be denied by this court.

(*d*) And that whichever of the orders prayed for is made be made and the hearing concluded (if one is ordered), before any other order or decree is made in this case by this court.

## FRED W. BAKER WITHDRAWS

At this stage of the proceedings, when Fred W. Baker, who had been induced to become one of the "next friends" in the suit, asked leave to withdraw and have his name stricken from the record, it was realized by all concerned that a serious blow had been delivered to the men and institutions responsible for the bringing of the suit. This was the first evidence of the inevitable collapse sure to follow.

## MOTION FOR ALLOWANCE FOR COSTS BY "NEXT FRIENDS"

THAT Mr. Streeter's recent motion attacking the "next friends" be heard and disposed of before further material proceedings take place. The "next friends" are officers of the court and are either worthy or unworthy. They are subject to direct and specific attack but should not be required to proceed in the case with a stigma resting upon them unproved, uninvestigated, and undisposed of.

2. We request a hearing on our motion for a jury trial.

3. If a Master is appointed we believe that the only instructions to him should be to investigate the question of Mrs. Eddy's incompetency as averred in the bill in equity. If any limitations upon these instructions are contemplated we desire a hearing before a decision is reached.

4. If any limitations upon the character, amount, or extent of the evidence are to be prescribed we desire a hearing before any decision is made. As the pleadings are not yet completed, nor issue joined, we desire that this may be done before any decision by the court in reference to any mode of trial.

5. Inasmuch as the defendant Frye has acknowledged the wisdom and necessity of this suit begun on March first, by causing Mrs. Eddy on the sixth of March to put all of her property out of her own hands, and as the "next friends" are destitute of means, it is proper that an order should be made by the court for an allowance to the plaintiffs from Mrs. Eddy's estate to be used for the purpose of taking testimony.

6. We will attend your Honor's pleasure in reference to a hearing upon the above suggestions at any convenient place and at any time after June 26.

The motion for trial by jury and an allowance from the estate of Mrs. Eddy for costs, on the hearing of arguments was denied. To the motion for a hearing and ruling on the question of "good faith" on the part of "next friends," the court made no reply.

## COURT DENIES TRUSTEES THE RIGHT TO INTERVENE

THE hearing by Judge Chamberlin on the right of trustees to intervene and be substituted for "next friends" occupied several days, and on June 5, 1907, the court handed down the following decision without assigning any reason or reasons therefor:

"The motion of Henry M. Baker, Archibald McLellan, and Josiah E. Fernald for leave to intervene and be substituted in place of 'next friends' is denied."

Immediately on reading the decision the trustees filed this motion:

Various questions of fact and of law supporting the motion having been submitted to the court at the hearing and the motion having been denied without any statement of reasons therefor, the trustees respectfully requested and moved:

1. That such decision be given in writing, stating the facts found and the rulings of law upon which the order denying said motion was based.

2. That the court state the evidence upon which the findings of fact were based.

RULINGS AND FINDINGS BY THE COURT

JUNE 27, 1907

Complying with the above requests, the court found:

1. That the only legal question raised by the original motion, or passed upon by the court, was whether the deed or power of attorney dated March 6, 1907, from Mrs. Mary Baker G. Eddy to the above named trustees conveyed the cause of action alleged by the "next friends" against Frye *et als.* to the said trustees, so that said trustees are entitled as a matter of right to be substituted for said "next friends." The court rules that the execution, delivery, and acceptance of said deed or power of attorney did not legally have that effect.

2. The question of fact passed upon by the court in deciding said original motion was whether justice required that said Baker *et als.* be substituted for said "next friends." The court found as a matter of fact that justice did not require such substitution.

3. The evidence upon which the court found this question of fact was submitted by the parties in the bill and answer, sworn to, and by affidavits, — all now on file in this court and accessible to all parties.

## APPOINTMENT OF MASTERS

ON June 27, Judge Chamberlin issued the following order, defining the issue and constituting Hon. Edgar Aldrich Master:

This cause now pending in said county and coming on to be heard on motions now on file in this court, and it appearing to the court that a reference of said cause should be had for the taking of proofs and finding of facts touching the matters raised by said motions and to ascertain and report whether on the first day of March, 1907, and for such period of time before that date as may seem reasonable, to inquire if said Mary Baker G. Eddy was capable of intelligently managing, controlling, and conducting her financial affairs and property interests.

It is now here ordered that the said cause be and the same hereby is referred to Hon. Edgar Aldrich as Master of this court, and he is hereby made a Master in said cause, and directed of the issue herein stated to ascertain and determine and report to the court the fact, whether said Mary Baker G. Eddy is competent to intelligently manage, control, and conduct her financial affairs and property rights.

The Master will hear all pertinent and competent evidence submitted by depositions or orally according to the law and practice in equity in this jurisdiction and determine the fact and report to the court whether on said first day of March, 1907, and for such period of time before that date as to the Master may seem reasonable, Mary Baker G. Eddy was capable of intelligently managing, controlling, and conducting her financial affairs and property interests.

For the purposes of this hearing the "next friends" named in the bill may appear by counsel and submit such proofs and competent evidence as they may have or can obtain; and said Mary Baker G. Eddy may appear by counsel and submit such pertinent and competent evidence as she may have or can obtain.

Having given the parties such reasonable time as may be required to prepare and obtain their evidence, and after reasonable notice, the Master will hear the evidence and the parties at the court house in Concord, New Hampshire, and at such other reasonable places as to the Master may seem proper; and having heard all the evidence, the Master will make and file his report with the clerk of the Superior Court for said county of Merrimack, on or before the thirtieth day of September next.

The Master is directed to report all exceptions to the admission or

rejection of evidence taken at the hearing, and whether the ruling admitting or rejecting evidence is one of law or discretion, and also report all facts requested by either party if warranted by the evidence. If any party shall neglect or refuse to appear before you, or shall neglect or refuse to produce any books or papers, or to answer any interrogatories relating to the matter in controversy that may be pertinent or material, you will certify the same to this court.

Dated this twenty-seventh day of June, 1907.

(Signed) ROBERT N. CHAMBERLIN,
*Presiding Justice.*

APPOINTMENT OF CO-MASTERS

At the time of his appointment as Master, Judge Aldrich was out West, and on receipt of the announcement of his appointment he expressed his willingness to accept and act, provided two others to act as co-Masters were added to the commission; and on the fifth day of July, Judge Chamberlin, being guided by the recommendations of Judge Aldrich, appointed Dr. George F. Jelly of Boston and Dr. G. Alden Blumer of Providence, Rhode Island, to aid Judge Aldrich in determining the issue stated in the commission of June 27.

IRVING C. TOMLINSON
(Member Board of Lectureship, p. 9)
Biographical Sketch

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IRVING C. TOMLINSON, CONCORD
(Member Board of Lectureship, Mother Church, Boston)
(Biographical Sketch, page 346)

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## MRS. EDDY EXCEPTS TO APPOINTMENT OF MASTER AND CO-MASTERS

ON July 11 Mrs. Eddy's attorneys filed a bill of exceptions in her behalf as follows:

*First:* To the appointment as co-Masters with Hon. Edgar Aldrich of Dr. George F. Jelly of Boston, Massachusetts, and Dr. G. Alden Blumer of Providence, Rhode Island, who are shown by the record to be expert alienists, for the following reasons among others:

1. Because the said Jelly and Blumer are non-residents of the State of New Hampshire, and their said appointment was and is contrary to the provisions of the constitution and laws of this state and the established practice of equity.

2. Because, as shown by the commission, by the correspondence on file between Judge Chamberlin and Hon. Edgar Aldrich, and by the acceptance of Dr. Jelly on file in connection with said appointments, Drs. Jelly and Blumer are authorized and expected to render a decision not predicated wholly upon the evidence submitted to them by the parties but based, in part at least, upon their technical skill and knowledge and their preconceived opinions as expert alienists.

3. Because said Drs. Jelly and Blumer are not legally qualified or legally competent to act either as Masters or referees in this case.

*Second:* Also to the said order of June 27, which in effect constitutes the said Aldrich, Jelly, and Blumer referees, she not having consented thereto.

*Third:* Also to the issue framed by the court and proposed to be submitted to the Master as the same is set forth in the commission.

*Fourth:* Also to the refusal of the court to frame and try or submit for trial the true issues involved in these preliminary proceedings.

*Fifth:* Also to the terms of the order of reference of the issue to the Master, in that the Master is authorized to definitely and conclusively determine questions of fact.

*Sixth:* Said Mary Baker G. Eddy also excepts to the denial by the court of her motion filed June 5, 1907, that the court sitting as Chancellor in equity should immediately investigate, consider, and determine the following questions:

1. Whether her property interests have been and now are fully protected.

2. Whether there is any occasion for having these proceedings maintained on her behalf by "next friends," so called.

3. Whether these proceedings were brought and are being maintained by said "next friends" for her benefit and in good faith.

4. To determine all other questions raised by said motion so far as may be necessary for the protection of her rights.

5. That said "next friends" may be discharged by the Chancellor.

6. That the Chancellor may make such other orders as may be necessary or just for the protection of the petitioner and her property.

7. That her legal and equitable rights as a citizen of New Hampshire may in all respects, so far as these proceedings are concerned, be established and determined without further delay.

8. That the relation of said alleged "next friends" to these proceedings may be suspended by the order of the Chancellor until the questions hereby raised (by said motion) may be investigated and determined by the Chancellor.

Said Mary Baker G. Eddy does not waive but hereby reserves the right to urge further reasons in the Supreme Court in support of the foregoing exceptions.

## TRUSTEES FILE EXCEPTION

ON July 11, Henry M. Baker, Archibald McLellan, and Josiah E. Fernald, by their attorneys, filed the following bill of exceptions to the denial of their motion filed April 2, 1907, for leave to intervene and be substituted as plaintiffs:

1. To the denial of their motion filed April 2, 1907, for leave to intervene and be substituted as plaintiffs.

2. To the ruling and finding that the only legal question raised by said motion was whether the deed or power of attorney, dated March 6, 1907, from Mrs. Mary Baker G. Eddy to said trustees, conveyed the cause of action alleged by the "next friends" against Frye *et als.* to the said trustees, so that said trustees are entitled as a matter of right to be substituted for said "next friends."

3. To the ruling that the execution, delivery, and acceptance of said deed of March 6, 1907, did not legally have the effect of transferring the cause of action aforesaid to said trustees.

4. To the finding of fact that "justice did not require such substitution" (namely, the substitution of said trustees as plaintiffs), said finding being immaterial upon the question properly before the court and not supporting the order denying said motion.

5. To the failure and refusal of the court to pass upon and decide the questions of fact properly raised by the motion and supported by the evidence.

6. To the failure and refusal of the court to pass upon and decide the following questions of fact upon which counsel for the trustees specifically requested findings: (*a*) that the trust deed was a reasonable and fit act; (*b*) that it effectually conserved Mrs. Eddy's property; (*c*) that Mrs. Eddy intelligently desired to execute it; (*d*) that its execution contributes to her peace of mind; (*e*) that it does not affect or impair any existing legal rights of the "next friends" or their counsel.

## APPOINTMENT OF HON. HOSEA W. PARKER AS CO-MASTER

ON July 12 Judge Chamberlin issued an order revoking the appointment of Dr. Blumer because of his refusal to serve as co-Master, and he appointed in lieu thereof, Hosea W. Parker of Claremont, New Hampshire, who did accept and agreed to serve.

On the same day the court ordered that all objections to the Master or co-Masters be filed with the clerk of court on or before July 20, and stated that all objections not so filed would be regarded as waived.

### Mrs. Eddy files Objections

In compliance with the order, Mrs. Eddy, through her attorneys, filed on the nineteenth day of July, 1907, the following:

1. Mrs. Eddy makes no objection to the Masters or co-Masters heretofore appointed beyond the exception stated as matter of law in article "*First*" of her exceptions filed in this court on July 11, 1907, so far as the same are now applicable; and not waiving any objections or exceptions heretofore taken by her, she respectfully prays that the court may speedily act, so that whatever hearings, the court determines shall be had before the Masters, may be begun immediately and concluded without delay.

2. In addition to the objections stated as matter of law in articles "*Second*" to "*Sixth*," inclusive, of her exceptions filed herein on July 11, 1907, she specifically objects to the issue stated in the commission issued to Hon. Edgar Aldrich, Master, namely,

"whether on the first day of March, 1907, *and for such period of time before that date as may seem reasonable to inquire*, said Mary Baker G. Eddy was capable of intelligently managing, controlling and conducting her financial affairs and property interests,"

in so far as said issue authorizes and requires a trial of the question of her capability "for such period of time before that date as may seem reasonable to inquire," for the reasons, among others, that such

question is not material, complicates the inquiry, and that the trial thereof will impose upon her unnecessary labor and expense, and for the further reason that a court of equity has no power to refer said question.

3. She further objects to said issue because under her motion of June 5, 1907, she then was and now is of right entitled to an immediate investigation and determination by the court of the matters therein set forth, including the following: (*a*) whether the trust deed of March 6, 1907, and the appointment of trustees and attorneys thereby were her free and intelligent act; (*b*) whether her property interests are fully protected; (*c*) whether this suit was brought and is being maintained for her benefit; and she avers that, according to the course of equity, the questions to be first determined by the court or by Masters appointed by the court are

(*a*) whether the trust deed executed and delivered by her March 6, 1907, to Henry M. Baker, Archibald McLellan, and Josiah E. Fernald, trustees (under which her entire property has ever since been held and managed by said trustees), was her reasonable, free, and intelligent act; and

(*b*) whether said trust deed was for her benefit and whether her property is effectually preserved and protected; and her motion filed June 5, 1907, that said questions be then determined by the court, having been denied and the cause having been referred to Masters, she now moves that the foregoing questions be submitted to the said Masters for inquiry and report to the court in lieu of the question submitted to the Masters as stated in said commission.

4. She further objects to the terms of the commission and the procedure authorized and required thereby for the following among other reasons:

(*a*) That the appointees named therein as Masters are required to exercise the powers, jurisdiction, and legal duties of referees in actions.

(*b*) That the report of said appointees under said commission will, in law, be a final and conclusive finding of fact upon the issue submitted and not a report of a Master according to the practice in equity for the information and guidance of the Chancellor.

(*c*) That said appointees under the powers conferred in said commission are authorized and required to proceed as in the trial of an action and required to hear testimony of all witnesses that may be offered on either side and not to make inquiry according to their discretion touching the competency of said Mary Baker G. Eddy to manage her financial affairs.

(*d*) That said commission authorized the "next friends" to appear and prosecute as parties litigant, to that extent controlling the course of the hearing.

(*e*) That the determination of the question now referred to the Masters and the procedure authorized and required by said commission are not according to the course of equity.

# BOOK III

## INCLUDING THE HEARING BEFORE THE MASTERS

# Book III

## INCLUDING THE HEARING BEFORE THE MASTERS

### FIRST DAY, TUESDAY, AUGUST 13, 1907

ALL of the details appertaining to the appointment and the qualifying of the Masters having been complied with, on the thirteenth day of August, 1907, the hearing before the said Masters in the court house at Concord was begun.

According to the interpretation which Judge Aldrich placed upon the commission, the only question for the Masters to decide was, whether Mrs. Eddy, on or about March 1, 1907, was competent to manage her own affairs.

Although the procedure was of a somewhat unusual character in New Hampshire jurisprudence, it was decided that the rules that should apply in the conduct of the case should be practically the same as those accepted in ordinary court trials; that is, that counsel for "next friends" were to have the opening and closing, and in the calling and examining of witnesses there would be no departure from recognized court usage.

As already stated, the counsel of record in the case for "next friends" were Hon. William Eaton Chandler of Waterloo, New Hampshire, Martin & Howe of Concord, New Hampshire, John W. Kelley of Portsmouth, New Hampshire, Fred W. Peabody of Boston, Massachusetts, and W. C. Harriman of Nashua, New Hampshire.

Counsel of record for Mrs. Eddy were Gen. Frank S. Streeter and Allen Hollis of Concord, New Hampshire, and

Attorney-General Eastman of Exeter, New Hampshire. Hon. Oliver E. Branch of Manchester, New Hampshire, was counsel for the New Hampshire defendants, and Mr. Samuel J. Elder and Mr. William M. Morse of Boston, for the Massachusetts defendants.

Many prominent Christian Scientists were present in the court room, and because of the widespread interest in the trial many outside newspapers were represented.

Practically all of the opening day of the hearing was occupied by Mr. Chandler in dealing with the disadvantages under which, he said, the plaintiffs had labored in the preparation of their case. He alleged that the suit was brought in good faith; had been managed solely by plaintiffs and counsel; that before the suit was begun assistance had been given by others, but that this assistance had ceased before the present stage in the proceedings had been reached.

Mr. Chandler held that the plaintiffs were handicapped by lack of funds to maintain the suit.

He thought it unreasonable that a motion should have been filed asking plaintiffs to file a bond for costs.

He regretted that the court had disallowed the plaintiffs' motion for an allowance from the estate of Mrs. Eddy to meet the cost of the prosecution.

He contended that an injustice was done plaintiffs when a jury trial on the competency of Mrs. Eddy was denied, but admitted that there was no constitutional right upon which plaintiffs could base their demand for a trial by jury.

He urged that the plaintiffs to the action were handicapped by denial of access to Mrs. Eddy, while deprecating any desire to give her unnecessary annoyance, and he complained also of the disadvantage under which plaintiffs labored in being barred from the taking of depositions in Concord.

Coming to the question of the competency of Mrs. Eddy, and what he alleged to be the real issue in the case, he said there were two facts which established the

contention of plaintiffs: one was the execution of the trust deed, March 6; and the other the atmosphere of malicious animal magnetism that surrounded Mrs. Eddy at Pleasant View.

At the close of Mr. Chandler's remarks, during the few minutes remaining before adjournment, George H. Quimby, tax assessor for Ward 7, was put upon the stand to give evidence as to the assessed value of Mrs. Eddy's property in Concord, and Mr. George H. Moses, editor of the "Monitor," for the reading of some personal letters received by him from Mrs. Eddy.

Just prior to adjournment for the day, in passing upon objections which Mr. Streeter offered to the interpretation which Mr. Moses put upon Mrs. Eddy's letters, Judge Aldrich said, "We are not going to decide that to-day," referring to the time limit that should be placed upon the introduction of testimony: "The decision upon that question will depend largely upon the turn this investigation takes. At the same time, I do not ask that the question shall be answered now, Mr. Streeter, but sometime I shall ask you whether we are to be permitted to hear the statement of Mrs. Eddy in respect to her business affairs. I do not ask you to answer that now."

Mr. STREETER: May I not answer it now?

Judge ALDRICH: You may, yes. Let me say one thing further: the answer to this question, we think, will have a very prominent and useful bearing upon the scope of the inquiry in respect to time.

Mr. STREETER: I shall be very glad to answer it at this first opportunity. Mrs. Eddy's life is so occupied and her daily work so organized that if the appointment could be set for a particular hour it would be a kindness. Mrs. Eddy will be very glad to see you, will be pleased to have you come to her home, — if the Masters, under the circumstances, will do so, — she will be very glad to confer with you touching these matters as fully as may be, and it was because of her attitude of mind on that question that her counsel were so persistent in asking for an early

hearing. I do not know that I can answer any more fully or frankly than I have. She very much desires it, and her counsel very much desire it, and at the earliest moment possible. And then if the Masters will consent, you can see her; you can talk with her and you can then decide how much time may be taken with her without unnecessarily inconveniencing her.

Mr. Chandler objected to the use of the word "confer," and thought that the interest of others and the interest of truth demanded more than a single conference with Mrs. Eddy; that a single meeting would not reveal all that counsel for "next friends" thought there was to reveal and that should be revealed, and he then launched into a general discussion of the subject and of kindred subjects.

Judge ALDRICH: I stopped Mr. Streeter's general discussion of the question in order to see if we could have an opportunity of properly examining Mrs. Eddy. Mr. Streeter stated his position, which we think we understand. Of course, it is no disrespect to say of any woman of Mrs. Eddy's years that she is entitled to every court clemency.

Mr. Streeter deprecated his use of the word "confer," and he said that he used it because it most nearly expressed what was in his mind. He said his thought was that the Masters should go out to Pleasant View, sit down with Mrs. Eddy, talk with her, and be talked to by her, and that after they had seen and talked with her they would be better qualified to do that most likely to solve the difficulties, and afterwards, if it seemed right and best, an extended examination might be had.

Judge ALDRICH: We agree that it could not be determined in advance and that it will have to be determined by circumstances, as they develop. Now, dissociating this case entirely from any talk about Mrs. Eddy's ability to come here, we think it entirely reasonable, out of deference to her, to go there if desired. I do not think it would be wise to examine with more than one counsel on a side. Counsel might confer about that. We did not bring up

this question for the purpose of forcing it at this early stage, but for the purpose of knowing what scope we should give to the investigation. It may be unnecessary after certain things have happened, to prolong this hearing very much, and, on the other hand, we cannot tell.

Mr. STREETER: May I make a further suggestion to your Honors? I saw Mrs. Eddy yesterday and told her about the Masters being here, and I have no doubt, if it was agreeable to you, that the talk should be had to-morrow. But I would ask you to consider making the appointment to get there, say, at two o'clock in the afternoon. The reason why I ask that is because her daily life is ordered with such regularity; I ask your Honors, if you can with convenience, to go up there at, say, two o'clock in the afternoon.

Mr. Chandler objected strenuously to going to Pleasant View on the following day, basing his objections on lack of preparedness, when Judge Aldrich said: "You may or not, as you please, confer as to the time, Mr. Chandler, but we desire, of course, to meet the suggestion conveniently to both sides, and you have been protesting pretty vigorously that you have not had an opportunity to see how things are done at Mrs. Eddy's. If we are to meet this question, and if we may hope to have an opportunity of going there under reasonable conditions, and you do not see fit to go, why, that is a pretty good answer to your protest. I do not say to-morrow or next day."

Mr. Chandler replied, "I did not say it should not be to-morrow; I said I should not be prepared to go."

Mr. Kelley, associate counsel for "next friends," asked permission to urge upon the Masters at this time the importance of considering the necessity of not limiting the distance back that "next friends" might go in the introduction of testimony with the view to testing the sanity and responsibility of Mrs. Eddy.

Judge ALDRICH: That is precisely what we were directing this talk to. In one event, we might give you a very

wide latitude, and in another event the time might be narrowed down, but we cannot intelligently deal with that until we have seen Mrs. Eddy.

At this time Mr. Streeter filed a brief containing a list of authorities on the questions expected to arise in the case.

## SECOND DAY OF THE HEARING

AT the convening of court August 14, the second day of the hearing, Mr. Chandler said with reference to the examination of Mrs. Eddy:

1. It should be a preliminary visit only.

2. There should be present, in behalf of "next friends," William E. Chandler, with right to examine, George W. Glover and daughter, for identification, and a court stenographer, for a full report.

3. It should be agreed there should be five other examinations of Mrs. Eddy.

4. As a result of the preliminary examination, if the Masters conclude that Mrs. Eddy physically cannot sustain other and thorough examinations, counsel for "next friends" should be afforded necessary opportunity to have her observed by persons of their selection.

5. If, as a result of the preliminary examination, it appears to the Masters that Mrs. Eddy is unable mentally to sustain further examination, they should announce that the plaintiffs have established a *prima facie* case.

6. The hours for the examinations should be at varying times during the day, without notice, and no member of the household should be present.

Mr. STREETER: If your Honors please, this brings us to the preliminary question that ought to be settled. This is an investigation into the competency of Mrs. Eddy to manage her business affairs. It has been stated that this is not an investigation of the doctrines of Christian Science; it is a property matter. The question is, whether Mrs. Eddy's condition on the first day of March, 1907, required the aid of the court in administering her business affairs. Now, in the opening yesterday there was not a

syllable of a suggestion that Mrs. Eddy's business affairs had not been managed properly; no fact was stated, no suggestion was made, that any business transaction would be inquired of.

We apprehend that the counsel on the other side have misconceived the purpose of this hearing. This is not, as we understand, a trial or an examination of the soundness of any particular religion. We ask your Honors, now, at the outset, to investigate the question which is submitted to the Masters — the question whether Mrs. Eddy on the first day of March was competent to manage her business transactions. We are ready to show the entire management of her business affairs for the last twenty years, and the results thereof, and should your Honors see that, you will know the fact that there is absolutely nothing to the charges that have been made.

After several interruptions as to the pertinency of his remarks, Mr. Streeter was permitted to proceed, which he did, saying: "Now, as a matter of law, these suggestions of delusions, — which simply mean that Mrs. Eddy believes in some things that Mr. Chandler and others don't believe, — unless those are in some way connected with the transaction of her business affairs, are absolutely incompetent. To illustrate: She may entertain a particular belief, which would seem to Mr. Chandler and to many of the world ill-founded; but if that belief has no relation to the management of her business, then, under the law, and under the authorities admitted with the printed brief which we handed to you last evening, it is not only immaterial, but it is incompetent. The question is, was this woman capable of managing her business affairs? not that she believes in a particular doctrine upon that point or this point. We feel justified in asking your Honors to direct the course of the hearing to that particular point; and I suggest this, because in the opening by the distinguished counsel yesterday, not one word was suggested with reference to any complaint regarding her business affairs."

Professor Hermann S[illegible]
(First Reader, [illegible] Church [illegible]
(Bogus, Ideal [illegible]

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PROFESSOR HERMANN S. HERING, CONCORD

(First Reader, First Church of Christ, Scientist, Concord)

(Biographical Sketch, page 348)

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Mr. CHANDLER: This bill is a bill for an accounting to find out things we do not know and as preliminary to the accounting which would disclose the facts and show whether any wrong has been done or not; this question of capacity, mental capacity, arises, and these delusions are all pertinent as bearing upon that . . . our case is that this woman has been possessed, for all these past years, of systematized delusions that make a part of her life, therefore they are unfitting her for doing any kind of business.

Mr. Chandler, basing his further remarks upon that, undertook to show that everything written by Mrs. Eddy, every word spoken, and every act done were pertinent as testimony.

Attorney-General EASTMAN: I hope you will pardon me if I make a suggestion or two. I want to say that I do not understand that this proceeding is one for an accounting. The question now is as to the rights of these parties to appear as "next friends." If Mrs. Eddy is competent to manage her business affairs, then they have no standing in court. Now, that is the question which we are to pass upon, not the matter of the accounts; that is, is or was Mrs. Eddy on the first day of March competent to manage her business affairs? That is the question. If she was, why, then, there is no occasion for the interposition of "next friends," or anybody else. She is competent and has a right to manage her affairs the same as every other citizen of this country.

Now the first question, it seems to me, is, whether there has been any mismanagement of her business affairs, because if her business affairs have been well managed, then there is the best evidence of her ability to manage them. On the other hand, if, upon investigation, you find that her business affairs have been mismanaged, then it is incumbent upon the "next friends" to go further and show that the mismanagement is due to these delusions which they talk about and to her incompetency and incapacity in the lines, in the particulars which they specify. In other words, they must connect these delusions with the

mismanagement of the property, because, although she may entertain, or any other person may entertain, the wildest notion, if they manage their business affairs properly, then that delusion has nothing to do with it.

It is just the same as in the case of a will where it is set up that the testator is insane. Now, as you well know, the rule is, that unless the party is found to have an insane delusion and unless it is established that the will is a product of that delusion, then the will stands; so, here, although a party may have a delusion upon certain subjects, and, in other words, may not agree with certain notions that I may entertain or the learned counsel on the other side may entertain with regard to religious subjects, it does not follow from that that they are not competent to do business.

They talk about "malicious animal magnetism." You know, and I know, and everybody knows that people entertain religious notions, very good people too. They believe that they are influenced by the devil more or less. It is not an uncommon thing at some religious meetings to hear very good men get up and say that they have been tempted by the devil during the week, and that they had made great effort to ward off the devil and his influences; but you are not going to say, because they entertain such notion, that they may not conduct their business properly, — I may not believe the devil has anything to do with it; you may not, but they believe it, — and so long as they are competent to do their business and take care of their property, why, nobody can interfere with them because they entertain these notions. So that, as I said at the outset, it seems to me, the first question to be determined here is, has there been any mismanagement of the property? If there has, why? What is it due to?

Now, in that way we do not exclude anybody from putting in all the evidence they see fit. If it turns out that the property has not been well managed, then it is to be accounted for in some way, and if it is to be accounted for by showing that Mrs. Eddy has been under the influence of systematized delusions and is in a situation to-day bor-

dering on senile dementia, or any other sort of dementia which may be named, why, then, that might be a cause for it.

But if the property is well managed, if you should find on investigation that here is a property which amounts practically to one million dollars, and in that whole estate to-day there are not, as the saying is, any yellow dogs, but the securities are of the highest kind and of the best kind that can be selected, why, it is pretty good evidence that there has been good management of that property; and if, in addition to that, that every one of these securities has been selected by Mrs. Eddy herself, why, that would be pretty good evidence of her ability to manage the property and show that there has been no mismanagement of it.

Now, then, if that question is settled one way or the other as I suggest — if it is settled that it has been well managed, it seems to me that that would be the end of the inquiry, because where the property is managed by the party, and it is well managed, there is no occasion then to inquire what religious notions he may entertain, whether they are absurd or otherwise.

Mr. Chandler undertook to controvert Mr. Eastman's views by suggesting that if the property had been well managed there might have been two million dollars instead of one million dollars on hand, and he said that it could not be ascertained whether her property affairs had been well managed or otherwise until it was discovered whether she had the delusions complained of.

Mr. EASTMAN: I want to suggest one thing that I did not suggest before, that is this: that this court — not this tribunal, but the court sitting as a Court of Chancery — has no jurisdiction whatever in a case of this kind except in cases where property rights are invaded. If it were a proceeding which related solely to the person of the party, it must be with another court and before another tribunal; so that it is only where property rights are in danger that the court has jurisdiction.

That is the first thing really to be inquired about. If the

property has been well handled here, I say then that is the best evidence, provided we show that it has been managed by the party whose competency is in question. That is the best evidence of ability to manage it. As has been suggested, if it has been well managed, then that is the end of the case, as it seems to us.

Now, I want to be distinctly understood on this point; I am not making these suggestions for the purpose of shutting off investigation. My friend has suggested that I have got the cart before the horse. Well, I don't concede it in that way. I am suggesting this: that it does not jeopardize anybody's rights here to determine that question first as to how this property has been managed; then, if, as I said before, it has not been well managed, it is open to the inquiry, what is the occasion for the mismanagement? Is it due to the mental condition of Mrs. Eddy or not?

If it is, why then certainly you would be bound to find that such was the fact, and the court then would take such action upon your report as the law in such cases requires. Now, it would save a great deal of time; we can go on here day after day, week in and week out, with theoretical questions in regard to delusions and all that sort of thing without getting down to the root of this matter. If we begin at the other end and find out what the situation is in regard to the property, and how it has been managed, and who managed it, then we shall be in a position to find out how far we want to open the door, how much time ought to be spent here in the examination of these questions which have been raised by the other side.

Mr. Kelley, attorney for "next friends," wanted General Eastman to explain the manner in which he would have an examination of Mrs. Eddy's business affairs made, but an answer by General Eastman was prevented by the court, which had a statement to make. The statement follows:

Judge ALDRICH: I don't think we will allow counsel to continue the controversy among themselves. The discussion is all addressed to what kind of an examination shall be made of Mrs. Eddy. Mr. Chandler has submitted in

writing what his idea is as to the kind of examination which should be had, and the discussion has taken a somewhat broad range. Perhaps counsel may as well understand now as later that this hearing is not for the purpose of disestablishing the Christian Science faith, treating it as a primary proposition. Neither is this hearing had for the purpose of laying any foundation for an accounting. We should not feel that we would be justified in going into anything in connection with the business except in so far as it might tend to show whether Mrs. Eddy was in actual control of her estate or not.

The question submitted is not quite what counsel seem to have stated this morning as to the management and the accumulation of the property. It is a question whether she is now in a condition to manage, control, and direct her financial affairs and property rights. That question of course should be aided by proofs within a reasonable scope in respect to time. Just how far we should go back, how far it would be useful to go back, is something that should not be determined now; but it should soon be determined upon reasonable lines, of course. Now the theory — perhaps, before we come to that, there is a contingent right which we must recognize on the part of children or "next friends" in the estate of a living person, and it is upon that theory that these plaintiffs come in here and institute proceedings which have resulted in the sole and single issue which is submitted to us.

The theory of the opening statement is that Mrs. Eddy, who is a lady of eighty-seven years, is under delusions. Now, as a legal proposition, so far as it relates to property, it is of no consequence whether the delusions are in respect to religion or politics or other things. We think, so far as it is possible, it is advisable that the question of religion or religious faith should be disassociated from the situation. It should be treated simply as a delusion which might operate upon the mind of Mrs. Eddy in respect to her property, in her present condition of health and strength.

If we understood Mr. Chandler's opening statement, it was that there were two kinds of delusions: one that there was a mental or spiritual force operating upon her "next friends" — some force not seen or heard, but some occult force that was operating to prejudice her against her relatives — and that that delusion, if it exists, might operate upon her property management. This theory of the plaintiffs addresses itself to the question of relevancy. I entirely agree with the position of Mr. Eastman, that a delusion, however palpable and whatever its nature, is of no significance upon an issue of this kind unless it is connected in some way so as to be likely to operate upon her business management.

That is discussed by Mr. Wigmore in his chapter on Quantitative Relevancy. The question is, if she has a delusion, is it of a character to influence her in respect to the management and disposition of property and that sort of thing? It would be utterly immaterial if it was a delusion of a character not to operate upon her business affairs, whether it had reference to religion or any other proposition. If it is a delusion which would not be likely to operate upon her property disposition or property management, then it would not be relevant in the sense of making it competent.

Then the other suggestion was, that Mrs. Eddy was under the delusion that certain individuals were operating against her in respect to her property interests, her works and writings, — Mr. Kennedy, I think.

Now, of course, if Mrs. Eddy is in a condition of health and strength to submit to an examination upon these questions, it would be competent, we think, to go into that, not because it is a delusion in respect to religion, not because a large number of people think it is not a delusion, not because others think it is, not because it relates to Christian Science, but because it shows a frame of mind which might make it possible that the delusion would operate unfavorably and prejudicial to the contingent rights of relatives.

ALFRED FARLOW, BOSTON

(Head of Christian Science Publication Committee)

(Biographical Sketch, page 351)

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Now, as to the kind of examination. It seems to be fair enough to say that we are to have some sort of examination of Mrs. Eddy. We are unanimous in the idea that we should not make any hard and fast rule about it. We are inclined, not arbitrarily, but on equitable and humanitarian lines, to hold this examination entirely in our own hands. It strikes us that the presence of the "next friends" would be more injurious to the situation than beneficial. We think we can see that it might, especially if there is a misunderstanding between Mrs. Eddy and the "next friends." On a public occasion it might be inappropriate that they should be present. We might think the examination of Mrs. Eddy should be entirely conducted by Dr. Jelly or by Mr. Parker or by myself, not permitting counsel on either side to ask any questions.

On the other hand, after seeing Mrs. Eddy and making her feel that she is going to be treated with respect and consideration, we might conclude that it is a case where there is no occasion for exercising any control over the situation different from what would be exercised in the ordinary case.

I think all agree that there should be no hard and fast rule as to the kind of an examination that should be had. I do not understand that the "next friends" have a constitutional right to be present; I do not understand that counsel have even. This is not a lawsuit in the adversary sense, it is in the nature of an inquisition into the mental condition of Mrs. Eddy to see what her status is with respect to the proceeding that is pending in the state court. We will go at any time counsel agree and will endeavor to have everybody satisfied with the kind of examination that is held. It is a bridge that we cannot cross until we come to it. When we see her condition we will endeavor to do what is right.

A conference was then held between counsel for both sides, with a view to determining who should go to Pleasant View and when. After the conference an agreement was reported, and counsel suggested that Mr.

Streeter's request be acceded to, and that the hour named be two o'clock that day, and it was agreed at the conference also that Mr. Streeter and Mr. Chandler should attend the Masters on their visit to Pleasant View, and that they should be accompanied by a stenographer.

As it was determined that the taking of additional testimony would be more or less a waste of time, it was decided to defer further work along that line until after the interview with Mrs. Eddy had been held. Judge Aldrich, however, before dismissing court, sought to impress upon the counsel that the hearing was not adjourned, that no recess even had been taken. His language was: "We do not take a recess really. The hearing is going on, but going on at another place. I do not see any occasion to say anything about it."

## MASTERS AT PLEASANT VIEW

AT the hour agreed upon, the parties designated visited Pleasant View and were ushered at once into Mrs. Eddy's private study, where the interview was held. The visitors were graciously received, and when all were seated Judge Aldrich began the interview by saying in a kindly voice, "Mrs. Eddy, the gentlemen here wish to have an interview with you, and we desire to make this call as comfortable as possible for you, and we want you to let us know if we weary you."

Mrs. EDDY: I am very glad to see you and I thank you.

Q. What is your native town?

A. Bow, in New Hampshire. My father's farm lies on the banks of the Merrimack. He did much of his haying in Concord, but the house was in Bow.

Q. How long have you lived in Concord?

A. At this time, do you mean? About twenty years; between eighteen and twenty since I came here, after my marriage and residence in Boston.

Q. Well, the gentlemen present want to ask you some questions, and we all want to make this interview as pleasant for you as possible —

A. Thank you very much.

Q. — and to have regard all the time to your comfort and convenience, and if you feel at all fatigued, we want to have you say so at any time.

A. What?

Q. If you feel fatigued, we want to have you speak of it and let us know.

A. Thank you. I can work hours at my work, day and night, without the slightest fatigue when it is in the line of spiritual labor.

Q. Did you acquire all this property here at the outset, or did you acquire it gradually?

A. I purchased it at the outset and suggested every construction and arrangement of my grounds throughout, and I still attend to it.

Q. How many acres have you?

A. Really, I do not know the number of acres.

Q. Well, that is something that women do not always carry in their minds.

A. This little pond [indicating] was made for me by my friends. It is an artificial pond. I have a little boat down there in the boathouse.

Q. [By Dr. JELLY.] All this has been done under your direction, has it? The development of this place has all been under your direction, has it?

A. It has. You can ask my foreman, August Mann. He resides in the cottage.

Q. [By Dr. JELLY.] We shall be glad to take your word for it, Mrs. Eddy, and no one's else.

Q. [By Mr. PARKER.] Do you raise fruit here on the place? I see you have fruit trees.

A. Yes, sir.

Q. Oh, you do?

A. And there were no trees except pines when I came here. The rest of the trees I have planted, and when I suggested that a large tree be planted they laughed at me, but I said, "Try it and see if it will succeed." Every one of these trees around here [indicating] was planted by myself, — that is, not by myself but by my direction.

Q. [By Judge ALDRICH.] I have heard now and then that you have taken an interest in public affairs round about Concord and other places in New Hampshire. What about that? I have heard occasionally that you have given money to the city of Concord, and perhaps to other parts of the state, for highways and other institutions. What about that?

A. I have, with great pleasure. When I came here they had no State Fair grounds and very little pavement. A one-horse car moved once an hour. There was very little being done in Concord then compared with what I antici-

pated when I came. It seemed to be going out, and I admire the apparent vigor and flourishing condition of this dear city now. I had a great desire to build up my native place. Am I talking too much?

Q. No. We are all interested in what you say.

A. They asked me in Boston to remain. Jordan & Marsh, White, and other firms requested me not to leave the city, and they said to me, "Have we not helped you to accumulate money since you have been here?" And I replied, "Have I not helped you?" And they said, "Yes, you have, and that is why we want to have you stay." Then I said, "I want to go home and help my native state a little."

Q. [By Dr. JELLY.] And that was how long ago, Mrs. Eddy?

A. Between eighteen and twenty years.

Q. Did you go directly to this place then — to this spot?

A. I did, and there was a hut here, a simple hut. I had it moved off and I made what there is here. The house was not built by myself; it was moved from where my cottage is. I built the cottage and moved that house which was then in its place here.

Q. [By Mr. PARKER.] Did you come direct from Boston here?

A. I did.

Q. To this very place here?

A. Yes, sir. They laughed at me for taking this place, and I said, "You will see, it will be pretty, soon."

Q. Did you live on State Street here in this town? Did n't you live on State Street at a time?

A. I did not at this time, but I have resided on State Street.

Q. When was that, Mrs. Eddy?

A. It was when I — Well, I should think it was about seventeen years ago.

Q. How long did you live there, Mrs. Eddy, on State Street?

A. About two years.

Q. And from State Street you came here?

A. Yes.

Q. Then, when you came from Boston, you came and resided on State Street first, did n't you?

A. I did. I had forgotten that.

Q. And from State Street you moved here?

A. Yes, sir.

Q. [By Judge ALDRICH.] Some one was telling me that you had given to the public streets, — the improvement of streets in Concord, — is that so?

A. I have, $10,000 at one time.

Q. Where was that expended?

A. It has been expended on this street and on other streets, Main Street and State Street.

Q. Was that done at the suggestion of anybody, or was it your own idea?

A. It was mine. They consulted me with regard to it. My students contributed towards it also and left the decision to me. When I built this church here, I put into it one-half of my property. Mr. Whitcomb, the builder, an honest man, told me it cost over $200,000.

Q. It is a beautiful structure.

A. I think so.

Q. Now about your investments; we will touch on those just a little to-day, not much. About your investments. You have some income, I suppose, now?

A. Some income, yes.

Q. My life insurance is coming due pretty soon, and I want to make good use of it. What do you consider good investments?

A. I do not put it into life insurance. God insures my life.

Q. I carry a little life insurance and it is coming due, so I am interested, you know. You would n't advise my throwing it away, would you? For instance, my life insurance comes due next year.

A. Yes, I respect that. I respect the life insurance; I think it is very valuable to many, but I have not any need of it.

Q. It was not really in that sense that I suggested it. I wanted to get your idea as to what would be a good investment.

A. Yes.

Q. What do you say?

A. Shall I tell you my ideas?

Q. Yes.

A. Trust in God. God is life. God is infinite. Therefore, if we are the image and the likeness of Infinity, we have no beginning and no end, and are His image and likeness; that is my life insurance.

Q. It was not a question of that at all — at least, my thoughts were not running in that particular direction, but, what would be a sound investment of money that comes from life insurance or anything else?

A. Well, I should invest it in the hands, at my age, of trustees that I could vouch for from my own knowledge. And why? Because, when I found my church was gaining over 40,000 members, and the field demanding me all over the world, I could not carry on the letters, make answers to inquiries that were made of me. Then I said, "Which shall I do, carry on this business that belongs to property, or shall I serve God?" And I said — and it came to me from the Bible — "Choose ye this day whom ye will serve. Ye cannot serve God and Mammon." Then I chose, and I said, "So help me God," and I launched out, and I gave my property — I gave $913,000 to the trusteeship, to others for the benefit of my son — no, not for the benefit of my son, but — $913,000 into the trusteeship for myself. For my son I gave $125,000 into trusteeship for himself and for his family.

Q. [By Judge ALDRICH.] Where did that idea of putting your property into the hands of trustees originate, with yourself or somebody else?

A. Utterly with myself. It came to me in an hour in this room, and I think the first one that I named it to was Laura Sargent, and I said to her, "Do not speak of it, but I feel impressed that it is my duty."

Q. When was that?

A. That was in February, 1907.

Q. Last winter, you mean?

A. I do.

Q. Now this is all interesting and useful, but still I have not quite made myself understood. For instance, without regard to your trusteeship now, if you had a hundred thousand dollars to invest to-day, and we will lay aside for the purposes of this question the matter of trusteeship, what kind of investments would you consider sound, municipal bonds, or government bonds, or bank stock, or what?

A. I prefer government bonds. I have invested largely in government bonds, and I prefer bonds to stocks. I have not entered into stocks.

Q. Why?

A. Because I did not think it was safe for me. I did not want the trouble of it, that was all. Perhaps I was mistaken, but that is my business sense of it, and the only time I took the advice of a student and went contrary, I lost ten thousand dollars by it.

Q. What was that?

A. That was an investment that was made in property in the West, where the land, they said, was coming up and going to be a great advancement in value, and I lost it, and I never got caught again. I always selected my own investments.

Q. How do you select them now?

A. Now?

Q. Yes.

A. I leave them to my trustees.

Q. Before that?

A. I will tell you. I have books that give definitely the population of the states, and their money values, and I consult those, and when I see they are large enough in population and valuation to warrant an investment I make it.

Q. Well, now, upon what philosophy do you base your

calculations upon population? Why do you take population as the standard?

A. Because I think they can sustain their debts and pay them.

Q. Well, I should think that was pretty sound. Would you go West for municipal investments, or would you rather trust yourself in the East, in New England we will say?

A. I would rather trust my trustees now. I do not take those things into consideration.

Q. Dr. Jelly desires that I should ask you, laying aside for the present the matter of trusteeship, what would be your idea, whether there was greater security of investment in Eastern municipalities or Western?

A. The East I should say.

Q. [By Dr. JELLY.] Mrs. Eddy, are you willing to tell us something about the development of your special religion? Are you willing to tell us about how the matter came about, and how it has existed and developed? It would be interesting to us to know, if you are willing to tell us, about Christian Science. Tell us something about the development of that; are you willing to do it?

A. I would love to do it.

Q. Tell us as fully as you please. I think we would all like to hear it.

A. I was an invalid born in belief, I was always having doctors —

Q. When you say "born in belief," I perhaps do not understand what you mean.

A. I mean born according to human nature, born not of God but of the flesh. That is what I mean. I was an invalid from my birth.

Q. Can you tell us something about the way in which you were an invalid, if you can recollect it?

A. No, I cannot recollect it, only I was considered weak and delicate.

Q. I asked you to tell me something about the development of Christian Science. Will you go on, if you please?

A. My father employed M.D.'s of the highest charac-

ter, and they were estimable men, and they would say — Dr. Renton was one, and he said, and the others said: "Do not doctor your child, she has got too much brains for her body; keep her outdoors, keep her in exercise, and keep her away from school all you can, and do not give her much medicine." Then it was all allopathy, you know.

Q. Can you tell us how long ago that was, please — about how long? I don't suppose you can tell exactly, but somewhere near.

A. No. I should say I was eighteen years old, perhaps, and it came to me through Dr. Morrill, he was a homœopath, and I had never heard of that before; it was a new subject in New Hampshire, and father said: "I thought he was a fine fellow, but he must have gone mad to have taken up homœopathy." That was the general idea of things then. When Dr. Morrill came to Concord he healed cases that the other M.D.'s did not, and my father employed him, and I got well under his treatment. Then you asked me to tell my footsteps? I said, I will study homœopathy. I did. I was delighted with it. I took a case that a doctress considered hopeless, and I cured the case. It was dropsy; the patient looked like a barrel in the bed, and I cured her. I began to think something about what it was that cured, when the highest attenuation —

Q. What did you say about the highest attenuation?

A. I began with the highest attenuation in which the drug absolutely disappeared, and I sent that attenuation to Dr. Jackson of Boston and asked him if he could discover the origin of that? It was common table salt.

Q. Was it Dr. Charles T. Jackson, the chemist?

A. Yes, sir; and he replied to me, "I cannot find a particle of salt in it."

Q. I knew him personally.

A. Did you?

Q. Yes.

A. Then I said, "I will be safe and see if I am deceived," and went to work on a patient. I gave her a high

attenuation of medicine, and she took it and recovered rapidly. Then there were symptoms of relapse, and I had been quite interested in homœopathy and thought by giving too much of this diluted, attenuated medicine there might be a crisis produced and difficulty, so I took away the medicine and gave her a single pellet unmedicated, nothing but the sugar pellet, and she went on and gained just the same. At last I said to her, "Now, you need no more medicine; go without it," and she said, "I will." In three days she came to me and said, "I feel some of the old symptoms." I repeated my pellet, not one particle of medicine, and she began to gain again.

That was my first discovery of the Science of Mind. That was a falling apple to me — it made plain to me that mind governed the whole question of her recovery. I was always praying to be kept from sin, and I waited and prayed for God to direct me. The next that I encountered were spiritualists who were claiming to be mediums. I went into their seances to find what they were doing. Shall I go on with this unnecessary detail?

[At this point the Board of Masters stepped out of the room and returned in a few minutes.]

Dr. JELLY. I will not trouble you to go into that in any further particulars just now, but Mr. Parker would like to ask you a few questions.

Mrs. EDDY. Yes. Shall I continue this subject to show how I entered into the understanding of Christian Science?

Dr. JELLY. I will leave that to Mr. Parker.

Q. [By Mr. PARKER.] I want to talk about every-day affairs. May I?

A. Yes.

Q. If we desire on some other occasion to have a talk with you, we will come again.

A. Thank you.

Q. Mrs. Eddy, you have not travelled much — you have not gone about the state much, have you?

A. No, I have not.

Q. Do you know where I live?

A. No, I do not.

Q. I live in Claremont.

A. In Claremont?

Q. Yes, over on the Connecticut River. We think it is a very beautiful town.

A. Yes, it is, I am told.

Q. In your drives, how far do you drive every day?

A. I am out anywhere from half an hour to an hour.

Q. Do you feel refreshed? Why do you go to drive?

A. Yes, it is a pleasant recreation. It keeps me away from my desk.

Q. Do you feel refreshed when you come back?

A. Yes.

Q. You don't leave your home here; at least you don't go out of town, or out of the city anywhere?

A. No.

Q. Would you have sufficient strength, do you think, to take the train for Boston? Could you do that?

A. I could, but I should not wish to undertake it because I have so much resting upon me here to do.

Q. I see. How many hours in the day do you work in an intellectual way? How many hours in the day do you keep your mind upon your work?

A. Well, I rise in the morning early and have few hours during the day that I am not at work, and I have the care of the house as much as I ever had it.

Q. Now, your intellectual work, or your work in connection with your subject. Do you write? Are you writing? Do you write letters nowadays?

A. I write them or dictate them. Others seldom write letters for me, save through dictation; then I look them over and see if they are right.

Q. You look them over yourself?

A. Yes, I do.

Q. Is that invariable? Don't you ever let letters go away from you without that?

A. I do not when they pertain to business of my own.

Q. Is that so with regard to your property affairs, that you look over the letters before they are sent away?

A. Yes, unless I know not when they are written.

Q. My attention is called to your last answer. I asked you if you looked over your letters pertaining to your property matters, and you said you did, unless they wrote letters when you did n't know about them.

A. I am answering you there about my action before I constituted the trusteeship.

Q. Yes, but I suppose you have more or less business now, don't you, of a financial character?

A. Yes.

Q. But the large responsibility you put upon your trustees?

A. Yes. Mr. Fernald here is the superintendent of the Old Folks' Home; he is a good man to take care of me, is he not?

Q. Yes, I know him.

A. And I know Henry M. Baker, my cousin, and I certainly know Archibald McLellan, and a better man we do not need to have. Now, I am thinking why cannot we have this all in love and unity and good will to man?

Q. It is. Do you read more or less, Mrs. Eddy?

A. Indeed I do.

Q. You do?

A. Every chance I get, for a rest.

Q. Are you fond of music?

A. I used to be exceedingly, and I have an artificial singer in my house. You know what I mean by that. I will have them show it to you in the vestibule. [Ringing bell for attendant, who responds promptly.]

Mrs. EDDY. [To the attendant.] Tell Mr. Frye to come to me.

The ATTENDANT. Yes.

Mrs. EDDY. It will imitate a voice.

Q. Were you musical in your younger days?

A. Yes. I never was taught, but all the other members of the family were, and yet I would compose music.

[Mr. Frye came in at this point and was introduced to the Board of Masters.]

Mrs. EDDY. Mr. Frye, I want you to show them my artificial singer.

Mr. FRYE. Yes. It is a graphophone, gentlemen.

Q. [By Judge ALDRICH.] I want to say before going that my mother is still living and she is eighty-seven years of age.

A. Give my love to her.

Q. I will.

A. God bless her. She is not a day older for her eighty-seven years if she is growing in grace.

Q. Well, she feels pretty happy.

A. I have no doubt she is. I mean mere decaying when I say "older." She is rising higher. Decay belongs not to matter but to mortal mind. We do not lose our faculties through matter so much as through mind, do we? Now, my thought is, that if we keep our mind fixed on Truth, God, Life and Love, He will advance us in our years to a higher understanding; He will change our hope into faith, our faith into spiritual understanding, our words into works, and our ultimate into the fruition of entering into the Kingdom.

Q. Well, I will say good afternoon.

A. Pardon my mistakes, if I have made any.

Dr. JELLY. Good afternoon, Mrs. Eddy.

Mrs. EDDY. Excuse my sitting; come and see me again.

Dr. JELLY. We do not want to tire you.

Mrs. EDDY. Thank you.

Mr. CHANDLER. Good-by, Mrs. Eddy.

Mr. PARKER. Good afternoon, Mrs. Eddy. I am very glad to have met you.

Mrs. EDDY. Thank you. [To the stenographer.] We have kept you very busy. Thank you for your services.

[After listening to the graphophone a message was brought Judge Aldrich that Mrs. Eddy wanted to see the Board of Masters again, because she thought there was

something she had omitted, and thereupon the Masters returned to her room.]

Mrs. EDDY. I feel that I did not answer you fully; that I dropped my subject before I concluded it with regard to the footsteps to Christian Science. Now, allow me to complete that thought. I got to where I told you I found it was mind instead of the drug that healed —

Judge ALDRICH. Let me make one remark. There were two reasons why we suggested we would not pursue that branch of the inquiry any further. One was, that we were a little afraid we might weary you, and the other was that in certain quarters it is suggested that this investigation is an attack on your doctrines, and we did not want to have it appear that we were requiring you to make any statements about it.

Mrs. EDDY. Not at all. I shall regard it as a great favor if you will condescend to hear me in this.

Judge ALDRICH. If you desire it, we are bound to listen to you — if you desire to express yourself about it.

Mrs. EDDY. When I came to the point that it was mind that did the healing, then I wanted to know what mind it was. Was it the Mind which was in Christ Jesus, or was it the human mind and human will?

This led me to investigate spiritualism, mesmerism, and hypnotism, and I failed to find God there; therefore I turned to God in prayer and said, "Just guide me to that mind which is in Christ," and I took the Bible and opened to the words, "Now, go, write it in a book." I can show you where this Scripture is in the Bible.

I then commenced writing my consciousness of what I had seen, and I found that human will was the cause of disease instead of its cure; that neither hypnotism, mesmerism, nor human concepts did heal; they too were the origin of disease instead of its cure, and that the Divine Mind was the Healer; then I found through the Scripture that "He healed all our diseases." Also the command, Go ye into the field, preach the Gospel, heal the sick, and I felt there was my line of labor, and that God did the healing,

and that I could no more heal a person by mortal mind, the mind of mortals, or will-power, than by cutting off his head. I know not how to use will-power to hurt the sick.

When people began to talk mesmerism, I doubted it; and I said to a facetious student, "Hanover Smith, you go into another room and see if I can sit here and tell lies enough to make you suffer." He went into another room, and I commenced arguing what they said made folks sick, and I did my best talking it. When he returned to me, I said, "Hanover, do you feel ill?" He replied, "I never felt better in my life than I do now. I feel rested."

A Christian Scientist can no more make a person sick than he can at the same time be a sinner and be a Christian Scientist. He does not knowingly make people suffer or injure them in any way — he has not the power to do it. All the power that Christian Scientists have comes from on High. We have no other power and no faith in any other power.

I thank you for your kindness and attention very much.

## EDITORIAL NOTE AND LETTER FROM MRS. EDDY

AN official stenographer made a complete transcript of every word spoken during the hearing before the Masters, and after the trial was over, the transcript passed through the hands of those who did most of the speaking in court — the Masters, Mr. Streeter, Mr. Hollis, Mr. Eastman, Mr. Chandler, Mr. Howe, and Mr. Kelley, and each made such alterations therein as conformed to the requirements of good usage and the elucidation of his thought, and eliminated therefrom ambiguous and redundant expressions.

Every thoughtful and considerate person knows that it is rather difficult for one to speak extemporaneously, as is generally the practice in court rooms and in interviews, and have his every statement grammatically correct, have his every thought fully completed, have his every period well-rounded, hence the ample justification for such correction of the record as is indicated above.

In incorporating the interview of the Masters with Mrs. Eddy in this volume, the author deemed it but fair and just that Mrs. Eddy should have the privilege of reviewing what she said and of making any needed corrections therein the same as others had, and a transcript of the interview was sent her, together with a letter explaining what others had done, and saying that if she desired to revise her language in the interview, such act would be in harmony with what had been done by her interviewers.

In due time the manuscript was returned, and with it the following personal letter, which we are authorized to use in the form in which it appears:

[N. B. After the plates for the letter were made Mrs. Eddy said, in a note to the author, that in using the language "I have added nothing, have not changed the thought," she had intended saying, "I have added nothing essential, and not in any essential way have I changed the thought." — Ed.]

Pleasant View
Concord N H. Nov. 15 1887.

Mr. M. Meehan

Beloved Student:

I am glad to have had opportunity to read and revise my interview with the Masters Journey East — The History of the Court trial.

I fancy I have not
exceeded any privilege.
I have added nothing.
I have not changed
the thought, but
have erased some
unnecessary state-
ments and repetitions
in both the questions
and answers, also
I have corrected some
errors in rhetoric
and grammar that
must have resulted

from inability on
the part of the stenog-
rapher to distinct-
ly hear what
was said.

Affectionately
and gratefully,
Mary Baker G. Eddy

## FAMOUS COLLOQUY BETWEEN LAWYER HOWE AND JUDGE ALDRICH

AT the close of the interview the Masters and those with them returned to the court room, where the hearing was continued.

Mr. Kelley, on the part of "next friends," proceeded at once to the introduction of the deposition of Arthur T. Buswell. The deposition was one that had been taken in Boston a few days prior to the commencement of the hearing, and the burden of which was to show, if possible, that Mrs. Eddy was prejudiced against her relatives.

After the reading of a few questions and answers, Mr. Streeter objected to the whole deposition, on the ground that it related to things too remote (twenty-three years antedating the hearing), because nothing in the deposition bore directly on the issue, and because there had not been up to that time any testimony introduced to show that Mrs. Eddy had any prejudice against her relatives, and hence could not have delusions in regard to that.

Mr. Howe, for "next friends," replied at considerable length to Mr. Streeter, and the running fire occasioned by this reply of Mr. Howe's that took place between him and Judge Aldrich touching delusions, religion, incapacity, and other things, asserted in the petition, proved one of the most interesting and instructive incidents of the entire legal proceedings.

Mr. Howe held that the deposition did not cover a period too remote; that anything in Mrs. Eddy's life that went to show delusions was admissible; that the deposition did bear on the issue, because he maintained that the issue was to prove delusions and that it was also admissible because the deposition did go to show that Mrs. Eddy was prejudiced against her son and granddaughter.

Continuing, he said: "I will say, to put it in the rough,

that our position is that this is a case of general insanity; that we will show that condition of insanity back a good many years. Not that the condition commenced at that time, but that it had become completed at that time so far as general insanity is concerned."

Judge ALDRICH: Well, if you put it on that ground you put it more broadly than Mr. Chandler did in his opening. His opening, as we understand it, proceeds on the idea that while Mrs. Eddy was capable in many respects, she is subject to particular delusions, and that those particular delusions are of a character to operate on her mind with respect to the management of her property. Perhaps he did not use that language, but that is the idea. Now, you put it upon the ground of general insanity, do you say?

Mr. HOWE: I did not understand your Honor.

Judge ALDRICH: Do you put it on the ground of general insanity?

Mr. HOWE: Yes; I never have put it anywhere else. It has been my understanding that we shall in this case show general insanity, back perhaps as far as 1866, and that since that time these delusions have been symptoms of that general condition; they have not been symptoms of partial insanity.

Dr. JELLY: What do you mean by "general insanity," please? I do not quite understand that point.

Mr. HOWE: By general insanity, — I will define it from some of the legal books. . . . Perhaps I have a definition at hand. I will read this definition; it is taken from a comparatively recent Pennsylvania case, Taylor *vs.* Trich. "General insanity is where the insane beliefs have so unsettled the judgment as to leave the party under the influence of a delusion that has usurped the place of reason and controlled the will."

Dr. JELLY: We think you have answered it.

Mr. HOWE (proceeding to read from the same case): "Partial insanity is a disturbance of some particular point not involving the mind at any other point." Now, as I

understand it from the investigation I have been able to make of the authorities, the limitation of the scope of inquiry only applies, and can only apply, to cases of partial insanity, and for two reasons: first, because when general insanity is once established there results from that fact a presumption that the condition will continue, and does continue, so that you can start back at any time and establish general insanity in any way that it can be established. For instance, by an inquisition and finding forty years ago.

Judge ALDRICH: We think that your question presents a proposition that must at some time be met and ruled upon. We do not wish to make a ruling upon an imperfect discussion. It is a question here whether we are to accept the general — accept in a broad sense the doctrines of Mrs. Eddy with respect to Christian Science as relevant and competent evidence tending to show insanity, or whether we are to consider the question in the more limited sense, and limit the proof to things tending to show delusions which in her present condition and under her present environment might operate to control her mind in respect to business management and put it into channels where it would not naturally go. I think our impressions are rather against your general proposition. We of course must hear you.

Mr. HOWE: Is it your Honor's suggestion that I proceed with the discussion at this time?

Judge ALDRICH: I do not suggest it. The question is in your hands, with permission to enter upon such discussion as you see fit. After you present the discussion we must make a ruling, which of course will control during the hearing.

Mr. CHANDLER: I would like to ask what the question is. I want to have it literally stated in the discussion.

Judge ALDRICH: In the discussion the question is whether it is competent to show that this witness knew twenty-three years ago that Mrs. Eddy was teaching a system of healing which she called Christian Science.

Mr. CHANDLER: Is a system of teaching the curing of diseases necessarily a religion because it has the name "Christian" put upon it? I discriminate between Mrs. Eddy's so-called religion and Mrs. Eddy's method of curing disease, and I put Mrs. Eddy's various notions together and I say they are systematized delusions. . . . We hardly think that it would conduce to the cause of justice, nor to the true ascertainment of the facts, to fix a certain number of years during which we have not been able to ascertain the surrounding conditions, and prevent us going further back, one year, two years, five or ten years, and producing conclusive evidence on the vital delusions. . . . We say give us an opportunity to go back far enough, and either by evidence or from her own lips the Masters will be satisfied that here is such a case of impairment of mental faculties as to render her incompetent to manage her business in such manner as her relatives have the right to expect.

Judge ALDRICH: Well, we think that we should not rule upon this question until we hear the parties, if they desire to be heard.

Mr. HOWE: I will be ready to go on in the morning, if your Honors please. I have not had opportunity to go over this matter as fully as I would like to with the other counsel in the case. That is the only reason. I am prepared to go on any time except for that.

Judge ALDRICH: There is another question. Suppose Mrs. Eddy persistently holds the views now which she held twenty-three years ago. The question of remoteness being also the question under consideration, why is it of practical importance to go back so far? That is something to be discussed. If she holds to the same doctrine now, why do you need to go back?

Mr. KELLEY: . . . If these delusions have such a hold on her mind now, and have had for a great many years, and she remembers them partially now and distorts the rest of them so that they do not conform at all now to reason, there is an impairment which would suggest we ought to have a right to put in these away-back proposi-

tions in order to show the gradual decay of the mind as it comes down to date.

Mr. STREETER: We shall be very glad to have the discussion of this question, because it is apparently a vital question, and the proposition is put up plainly now without reserve, that the Christian Science religion, as taught by Mrs. Eddy twenty-three years ago, indicates that its teaching twenty-three years ago was by an insane person, and the five hundred thousand or a million followers of her since are all insane, and we are prepared to meet the question.

Mr. KELLEY: That is not so. I want to suggest that my brother misstates our position entirely in this matter in the statement he has just openly made here.

Mr. STREETER: Well, I did not intend to misstate it. I understand that it is charged that these teachings of Mrs. Eddy twenty-three years ago and more were delusions. My brother Howe goes back forty years ago, to 1866, — forty-one years ago, — and charges her with general insanity from that date of forty-one years ago; and God knows it would be a mighty good thing for Mr. Howe and myself, and almost everybody in this room, if we could have had the same amount of insanity during the last forty years and accomplished what she has, laying aside the spiritual side, even with the financial.

## THIRD DAY OF HEARING

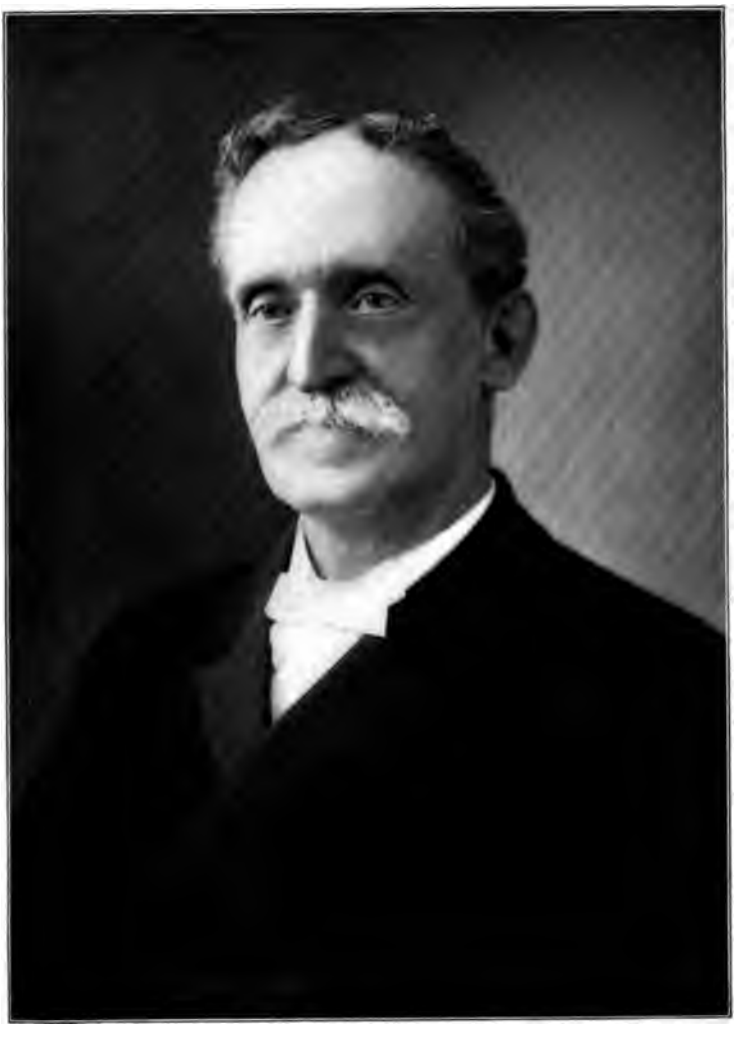
AT the reconvening of court on the following morning, Mr. Howe proceeded at once to the further discussion of the matters at issue when adjournment was had the preceding eveuing. He said: "At the beginning I wish to refer to the fact that I used the term 'general insanity' in the brief discussion of yesterday afternoon. I have since learned that the term 'general insanity,' as I am now informed, is not a technical term known to alienists as descriptive of the condition to which I applied it, and in explanation of my use of that term I desire to say that I fell into the error because of the use of that term by the courts in several cases."

Mr. Howe proceeded to read from a text-book in support of his contention and in justification of the general position which he had taken the day before.

Judge ALDRICH: The question apparently was not submitted to us as a question of insanity or as a question of general delusion, but rather as a question of property, — is the property managed by her?

Mr. HOWE: I was coming to that —

Judge ALDRICH: One moment! In defining the issue to be submitted to us, the learned judge evidently did it with a view of excluding the religious phase of the situation. Perhaps it was not thought the part of judicial wisdom to undertake to have it determined whether a religious faith held by a large number of people was a delusion or not, in the sense of a delusion in the minds of many people, in respect to a religious question. It is apparent that the question was not framed with a view of presenting a general insanity question or the general question of religious delusion. The question seems studiously to be confined by Judge Chamberlin to the intellectual condition of Mrs. Eddy in respect to the management of her property. Now, suppose a man was insane on a dozen sub-



WILLIAM B. JOHNSON, BOSTON
(Clerk of First Church of Christ, Scientist, Boston, Mass.)
(Biographical Sketch, page 354)

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TILDEN FOUNDATIONS.

jects, and suppose at the same time he was doing business with the world, and showing to everybody who had to do with him the capacity of his intellectual grasp in respect to the management of property, — safeguarding it beyond the safeguards established by the ordinary mind. What do you say then? Mr. Chandler's opening was upon the ground that there was a delusion which, under present conditions, is liable to operate upon or disturb the intellectual management of the property. Mr. Eastman's statement was not at all inconsistent with Mr. Chandler's statement, assuming that there was a delusion, and providing the delusion connects itself with her property management. We only throw out these queries in order that you may meet them.

Mr. HOWE: Is this a question you desire to have answered?

Judge ALDRICH: Yes, during the argument; not necessarily now.

Then Mr. Howe took up in order the objections which Mr. Streeter presented to the admission of Mr. Buswell's testimony, and at the close thereof said: "As to the second objection, that the testimony does not bear on this issue because it is a religious belief, we desire to say, and say emphatically, that this is not a question of religious belief. Christian Science, in and of itself, is not a religion; within the covers of the text-book no religion can be discovered. The situation is this: Two books are furnished. One, the Bible, is the religion; the other, Science and Health, is the doctrine. The Bible is the priest; Science and Health is the doctor."

Judge ALDRICH: Who has a right to say that their faith is not a religion?

Mr. HOWE: That it is not?

Judge ALDRICH: Yes. They have articles of faith and they have churches in large numbers. Where would the exercise of a right to overthrow this faith or doctrine lead under a constitutional government?

Mr. HOWE: My understanding is that the book itself

contains intrinsic and conclusive evidence upon the point I have just made, that there are no articles of faith —

Judge ALDRICH: One moment. A great many people say that of the Bible.

Mr. HOWE: A great many people said that of Mormonism, and the Supreme Court of the United States held to the contrary. A great many people have said that of Millerism; the courts of Pennsylvania have said to the contrary.

Then Mr. Howe referred again to his objections to limiting the time of going back for the introduction of testimony.

Continuing, he said: "If you prescribe a limit of time beyond which we may not go, it will affect a large amount of testimony, and testimony which is in and of itself a determining force and weight on this question.

Judge ALDRICH: Well, the question of time, of course, is a subsidiary question. The first question which you present to us is whether we shall go at all into a consideration of the question whether Christian Science in and of itself, its teachings and its practices, tends to show disturbed mental conditions, or, as you put it, general insanity. That is the important question, and the first one; if we decide to go into that on the theory which you advance, we should of course fix the time and determine how far back you should go. What do you say about the constitution of New Hampshire, which provides that "Every individual has a natural and inalienable right to worship God according to the dictates of his own conscience and reason; and no subject shall be hurt, molested, or restrained in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience, or for his religious profession, sentiments, or persuasion, provided he doth not disturb the public peace or disturb others in their religious worship?"

Mr. HOWE: Well, I think the article of the constitution to which you have referred is immaterial to this controversy.

Judge ALDRICH: Is it if these people hold a faith and a notable feature of their faith is religious worship in church edifices according to the dictates of conscience? Is it a question for us to determine here whether that is a proper religion or not, or whether it is a delusion in the general sense? Have we any more right to determine that question against Christian Science than we would have to determine it against Catholicism or spiritualism — in a case presented by Christian Scientists?

Mr. HOWE: If Catholicism and Christian Science, leaving out the Bible and following Christian Science by its text-book, "Science and Health," were to be compared, the difference would become apparent. One is a religion, the other is a system of medicine called Christian Science. Perhaps a reference —

Judge ALDRICH: When you select a particular delusion which operates and holds in actual life, and point to it as a delusion which in its nature would affect property management, then you bring yourself within the lines of Mr. Chandler's opening statement, which presents an entirely different question from the one raised under the broad lines presented now, that the whole system is one of delusion and something showing a distorted mental condition.

Mr. HOWE: Not so far, your Honor, as the question of anything speculative, anything which cannot be determined by evidence, is concerned. In so far as Christian Science goes, in that direction, it will be impossible to show that it is an insane delusion. Our position is this: where there is a state of facts susceptible of proof, and where a delusion is founded upon that state of facts, which delusion persists in the face of all evidence, it then is an insane delusion, call it by what name you choose, Christian Science or anything else. If that were not true, there are incarcerated in the asylums in this country a vast number of people with religious mania, who, under the constitution, ought to be at large.

Judge ALDRICH: Well, Chief Justice Doe, I believe,

held the view that every man was subject to more or less delusion, that every man was in a sense more or less insane. That is to say, that he would have some idiosyncrasy or habit or mannerism that was peculiar to himself; which was the result of a special insanity. Now, is that of any consequence in the administration of business affairs unless it distorts, or is likely to distort, a given business situation?

Mr. HOWE: It is of no consequence, and that is exactly the point. It is our purpose to show a condition here which does distort, which has distorted, which in all probability will distort every business act, a condition which I have described as general insanity; perhaps I should call it insanity, as distinguished from monomania.

Judge ALDRICH: Well, you say one evidence of that is that they hold a belief that there is a divine influence which operates in the minds of Christian Scientists and controls and influences disease.

Mr. HOWE: No, your Honor.

Judge ALDRICH: Do you say that this is a delusion?

Mr. HOWE: No, your Honor. I say it is a delusion when it is believed that there is no such thing as pain, for instance. A more marked example of that would be the belief that a person was cured by faith miraculously from an injury like the injury which Mrs. Eddy says she sustained in 1866; an insane belief, as I understand it, an insane delusion; it is a belief which cannot be removed by the proof of the fact. The mind is no longer dominated by reason, but reason's place has been taken by an insane belief which persists and abides despite all evidence; and it is to those concrete instances that we address our testimony in this case.

Judge ALDRICH: I do not think that I quite got the force of that suggestion as to what shows delusion, what particular thing in their teachings shows delusion and a dethronement of reason.

Mr. HOWE: I think this would show delusion: Take the incident of 1866. Suppose a lady to have met with an

injury to the spine, an incurable injury according to medical standards, surgical standards, as she says. Knowing the fact that she met with that injury, knowing the fact that she was taken into a house and treated for that injury, knowing the fact that after she left that house she had to continue the treatment for some weeks — months, knowing the fact that there was no sudden change in condition, that the recovery from that condition was gradual and only after medical treatment, now, in the face of that positive evidence, if a person believes in a miraculous cure of that condition, happening in the middle of it, before she left the house at all, if that belief persists in spite of the evidence of the actual facts, if that belief cannot be removed by evidence, it is an insane belief, a delusion.

Judge ALDRICH: Suppose that a million people believe that such miracles, and perhaps you might say Biblical miracles, can be accomplished under divine influence, who has a right, under the constitutional government which protects religious conscience, to say that they are under insane delusions, and such insane delusions as to justify the courts in wresting the management of property from the hands of a large number of people?

Mr. HOWE: The number of people who have taken it up and adopted, upon faith, without inquiry as to the facts, any particular belief, is no evidence that they are insane, nor is it evidence —

Judge ALDRICH: It might not be evidence that would convince you or convince me, but does not the idea of constitutional government recognize the wisdom of not undertaking to deal with such situations?

Mr. HOWE: Why, I do not so understand it.

Judge ALDRICH: A constitutional government does not condemn large bodies of people on the ground that they are religiously insane?

Mr. HOWE: I do not understand that the fact that persons please to describe an insane delusion as their religion makes it a religion within the meaning of the constitution.

Judge ALDRICH: Of course, we do not want you to understand that we are making any assumption against you on the question, because we ask these questions, nor that we are under a belief that these things can be done. We are simply addressing ourselves to the question whether the general teachings of the Christian Science faith show such insane delusions likely to affect property management. Now a great many people do not believe as Christian Scientists do, and we have heard of a sect which holds a belief in spiritualism. They do not hold that they can heal the sick under divine influence, but do hold and believe that they can communicate with their departed friends under divine influence. Now, is that a delusion showing general insanity?

Mr. HOWE: If your Honor will pardon me a moment?

Judge ALDRICH: Of course you and I do not believe they can do that, but they do.

Mr. HOWE: If your Honor will pardon me a moment?

Judge ALDRICH: Is that a situation which would justify a court in saying that reason is so dethroned that we will not let them manage their property?

Mr. HOWE: I will answer that in two propositions. In the first place, so far as I have investigated this subject, I have not found a single reported case in which any form of religious mania has been excluded. I have not found even a single reported case in which evidence of any form of religious delusion or mania has been excluded from the evidence.

Mr. Howe undertook to answer Judge Aldrich's questions by reading from a New York case wherein he found the following language: "It is not an abstract belief in spiritualism that raises the presumption of incompetency, but the fact that a person has surrendered his will to the control of such influences rather than to the exercise of sound judgment."

Judge ALDRICH: Well, now, let us take the case of spiritualism, taking that as an abstract proposition. It is admissible to show delusion affecting property manage-

ment, but if you connect it with the property question by saying that a man who believes he was in conference with departed spirits, taking their advice, was advised by departed friends to make certain dispositions of property, you have brought your case within the scope of Mr. Chandler's opening statement, and within the scope of the position taken by Mr. Eastman on the other side, and it seems to us that that is the only sense in which any phase of Christian Science is material in this case, — if you can show anything which tends to dethrone a person's reason in respect to property management, then it would be competent, not because it is Christian Science, but because it is a force operating abnormally as to business management.

Mr. HOWE: I understand that that is practically the situation we show by the evidence —

Judge ALDRICH: It is an entirely different situation from the one involved in the general proposition which you are discussing, whether Christian Science, *per se*, shows or tends to show an insane delusion in the sense of this issue.

Mr. HOWE: I am not attempting to show that Christian Science, *per se*, is an insane delusion. I am attempting to show that insane delusions strictly, which have now become designated as Christian Science, are nevertheless insane delusions regardless of the name by which they are called.

Judge ALDRICH: Well, are they in the sense of constitutional government? A large number of people believe in direct answer to prayer; that the storms are stopped, that the seasons are changed, that the rain is turned into sunshine, provided the prayers are sufficiently sincere and devout. We would all say, at least many of us would say, perhaps the great body of the people would say, that that is a delusion. Still, it was quite generally believed fifty years ago, and I suppose to some extent now. Now, what do you say about that? One is changing the weather, the other is influencing disease. Is one a delusion any more than the other?

Mr. HOWE: Very much more. As to one, the facts are susceptible of proof. The other is a matter of speculation. The exact truth can never be proved. As to the cure of disease, a particular diseased condition can be taken, for instance, a cancer, and it can be demonstrated at any time or at any place that this so-called science of medicine cannot cure that condition, but it cannot be demonstrated that the prayers of any person can or cannot bring on a thunderstorm. One is susceptible of proof. As to the other, proof is impossible.

Judge ALDRICH: Why, if it is divine influence, if it is, — and who can say it is not? How can you say that it is not within the divine power to remove cancer any more than you can say it is not within the divine power to change the storm conditions so as to stop the rain in one locality and start it in another?

Mr. HOWE: I do not understand that that is the question.

Judge ALDRICH: You said one was a delusion and the other was not.

Mr. HOWE: One is a delusion; the other is a belief which may or may not be false, and it is impossible to say whether it is false or not.

Judge ALDRICH: Who can say that if those who had faith that in answer to petition and under direct divine influence the rain stopped and was followed by sunshine, in order that gardens should thrive and people should have fresh vegetables, were not a delusion, and that disease which may be cured by the same influence and a human system regenerated, is a delusion?

Mr. HOWE: As I understand your Honor's question it was this: How is it possible to show that a particular thunderstorm was not caused by a particular prayer? Now, there is no way of showing it. The belief that it was caused by a particular prayer can never be an insane delusion, but with a cancer prayers come, the cancer remains; more prayers, the cancer remains, the patient dies. The belief is that the cancer can be cured by prayer. It

cannot be, because the patient dies with the cancer. One condition is a practical condition, a condition of this world as to which we have evidence. And as to a thing of that sort, a cancer, it can usually be shown.

Judge ALDRICH: Then you say the distinction is that the cancer continues and is not cured. Suppose the storm stops, or rather suppose the storm is *not* stopped but continues, does it then become a delusion?

Mr. HOWE: I do not understand you.

Judge ALDRICH: Your position is that one is a delusion because the cancer is not cured, that it continues in its ravaging career; hence it is a delusion. Now in the other instance, suppose the storm continues unbroken and uncontrolled in the presence of prayer, is that a delusion?

Mr. HOWE: I would have to know what the prayer was, whether it was to make it rain or to make it stop raining. It would make some difference, your Honor, what the prayer was.

Judge ALDRICH: I remember it was said of a somewhat celebrated Methodist, Lorenzo Dow, who talked from one end of the country to the other and taught that there was direct answer to prayer and claimed that he could control the storms, that when he struck a locality where there had been a long-continued rainy season, and was waited upon by a large number of people who sought divine influence, he still maintained the power of control, but said there was no use in praying for the rain to stop while the wind was in the east.

Mr. HOWE: Well, that displayed a lack of faith, I should think, on his part, but the definitions which I have here, I think, make the distinction clear between what is an insane delusion and what is a belief which may or may not be false. In order to be an insane delusion it must be a belief against the fact, a belief which persists against the fact. The mind must be so diseased that it will no longer receive and act upon — act upon properly and rationally — the evidence of the actual fact, and when you get into the domain of speculation as to whether pray-

ers are answered, as to whether there is a future life, the facts themselves cannot be proved, and for that reason you never can get an insane delusion as to those things. If a man has a belief that he is the Messiah — that, as I understand it, is a comparatively common insane delusion — the facts there are susceptible of proof. We know who his parents were, we know who he is, he is not the Messiah, which can be proved; but he may believe that at death his soul will enter into an animal of some kind, we cannot disprove that belief; the fact that he believes it is not evidence of an insane delusion, whereas the other one is, because we can prove the actual fact.

Judge ALDRICH: Suppose it is a sect like the Second Adventists, who believe that the world is coming to an end, and have fixed the day half a dozen times; if you depend upon the fact, how are you going to establish it by disproving that the world will not come to an end, as they believe?

Mr. HOWE: You could not have an insane delusion as to that.

Judge ALDRICH: Why not?

Mr. HOWE: Because you cannot prove the facts.

Judge ALDRICH: Why can't you?

Mr. HOWE: Prove that it is going to come to an end?

Judge ALDRICH: That it is, or that it is not. You and I might not believe that there is any stated time when it may happen, but a large number of people, upon studying the Bible, have come to the conclusion that they have found out about it and believe it conscientiously; it is a part of their faith, and they safeguard their property just the same, and with the same intelligence that they always have. How are you going to disprove the fact?

Mr. HOWE: What particular fact?

Judge ALDRICH: That the world is not coming to an end.

Mr. HOWE: I am not familiar with any method by which that can be proved. I know it has been repeatedly tried.

Judge ALDRICH: And when you come to a question of

religious faith which people believe is sound, and large numbers of them, that disease will be controlled — you and I might not believe it — Dr. Jelly might not believe it — Mr. Parker might not believe it — probably the great majority of people do not believe it, but at the same time how are we going to determine the fact that it is not so in the sense of determining it for the purpose of establishing a dethroned mental condition?

Mr. HOWE: The very condition which your Honor has stated might in its result be sufficient to destroy the will of the man. Suppose he believed that the world was coming to an end day after to-morrow, and for that reason he had no further use for his property, and acting upon that belief, solely influenced and controlled by it, he disposed of his property, the will or deed would be set aside.

Judge ALDRICH: Now let me ask another question upon another line, for the purpose of testing the soundness of the position. How many Christian Scientists are there now in the country? You have investigated the subject.

Mr. HOWE: I think I read in some of Mrs. Eddy's writings — it is possible that it was in the report of yesterday's interview with her — that there were 40,000.

Judge ALDRICH: Connected with the Church. How many are there, Mr. Streeter?

Mr. STREETER: It is said by distinguished men that there are from half a million to a million. Mr. Farlow testified so in Boston the other day.

Judge ALDRICH: Now, what has been the length of time in which this growth has occurred, — something like twenty years?

Mr. HOWE: I did not understand your Honor.

Judge ALDRICH: We have this growth in fifteen or twenty years, I believe.

Mr. HOWE: The growth in numbers?

Judge ALDRICH: Yes.

Mr. HOWE: I am not able to say in regard to that. The figures seem to vary from half a million to a million, and I shall have to rely on my brothers for that.

Judge ALDRICH: Suppose in the course of two hundred years the Christian Scientists outnumber all other denominations, and would be more than half the population of the country, and the government should be administered by them, would you hold that it would be a wise administration of government if they passed laws which would declare all the rest not believing as they do under insane delusions?

Mr. HOWE: That condition two hundred years hence, did I understand your Honor?

Judge ALDRICH: It is not a probable condition, of course, but it is merely to test the question.

Mr. HOWE: It may be that the equally improbable condition will then exist, namely, that an insane person cannot be shown to be insane because the insanity is of a religious type. That condition is no less improbable.

Mr. PARKER: I wish you would state that again.

Mr. HOWE: I understand Judge Aldrich's question to be this: Suppose two hundred years hence the government is in the hands of the Christian Scientists, would it then be constitutional for them —

Judge ALDRICH: I did not say "constitutional," but would it be a wise administration of the government?

Mr. HOWE: A wise?

Judge ALDRICH: A wise.

Mr. HOWE: I mistook your question entirely, as to whether it would be wise or constitutional.

Judge ALDRICH: Take it either way. Of course the constitution would have to be changed.

Mr. HOWE: Of course it would be impossible for me to answer the question of the wisdom of it except in this way, — I think it is always wise to take care of the property of people who are insane, and the fact that their insanity is of a religious nature should not exclude them from being properly taken care of.

Then Mr. Howe went on at considerable length to discuss the merits of Christian Science, its lack of harmony with generally accepted thought along many lines, the

effect as he saw it of Christian Science practices upon certain forms of disease, and through these rare exceptions sought to show that "next friends" in the introduction of testimony should be allowed to go back indefinitely and inquire into the teachings of Christian Science.

With a view to questioning, as he said, the soundness of the views expressed, and their application, Judge Aldrich said:

"For the purpose of illustration I will call attention to what would be the rule if it were an inquiry as to the motive in a criminal case. I do this for the purpose of testing whether your reasoning is logical or not. Suppose it was a question of the motive of a man charged with crime. You may show that he had a motive for it; namely, you may show that he had a prejudice against the person who was killed, and you may show that motive for the purpose of establishing the fact that the person charged with the murder did the killing. But would it be competent to show that he had a prejudice against somebody else, — believed that somebody else was injuring him or might? Must n't you go a step further and connect this belief with her 'next friends' or her children? How is that? You might ask Mrs. Eddy on cross-examination, 'Do you believe this of Kennedy?' 'And do you believe the same thing with respect to George W. Glover?' But can you, as a matter of affirmative, independent proof, put in an isolated case of prejudice?"

Mr. HOWE: I do not understand that it is an isolated case of prejudice. It is but one of many cases, each one of which is a symptom of a diseased brain condition; the wires all lead back to that central station.

Judge ALDRICH: Yes, but we must take this case as it comes; it is not Kennedy's case in which he represents that Mrs. Eddy's mental condition by reason of her prejudice against him is such that she cannot make rational disposition of her property. That is not the case. The case is one on behalf of her children, who say that such is her mental condition that she is under an influence that

will lead her in the end to mismanage her property and do what she would not naturally do. Now, do you by showing what she believed, with reference to a third party not connected with this litigation, do anything in the direction of establishing this proposition?

Mr. HOWE: I think so. Perhaps, if your Honors think the fact that a certain cause which produces a certain result as to one person may not be evidence that the same cause will produce the same result as to another person, it might be admissible on this other ground, as corroborating evidence that the same cause did produce the same result as to the son.

Mr. Howe proceeded to read from letters written by Mrs. Eddy, and after the reading the Masters, through Judge Aldrich, said:

"We do not think it wise, on the general question of the admissibility of evidence of general delusions, to confuse the discussion by producing an argument with respect to that particular thing, because it presents an entirely different proposition. The proposition we are considering is one which involves the question whether Christian Science shall go in bodily as showing general insanity or general delusion."

Mr. HOWE: We have no desire to put in Christian Science as an evidence of delusion, but we do want the privilege of putting in the delusions, although some of them have been named Christian Science, and those delusions if unconnected with the capacity to do business would be immaterial. This trial is not for the purpose of inquiring whether Mrs. Eddy has capacity to make a single contract, to do a single piece of business, but whether she is capable of the management of a large and intricate mercantile business, a business with a million dollars of capital, and an annual income of $150,000 to $200,000.

Judge ALDRICH: I think we understand that; that is entirely aside from the general proposition. I wish you would keep to the precise question, otherwise we cannot make any useful ruling here. The question is whether

Christian Science shall go in bodily upon the issue of general insanity. Now, if we rule that it is open to you to do that, it goes in. If we rule against you, it goes out. Why do you go into this particular line of inquiry?

In response to Judge Aldrich's remarks, Mr. Howe again repeated that it was not the purpose of the plaintiff in this case to put Christian Science in bodily as evidence, but to introduce specific instances which they saw well to call insane delusions. Continuing, Mr. Howe said: "Insanity in general is evidenced by conduct. Sanity and insanity are terms applicable to the mode of operation of the mind as judged by some accepted standard of normality." Mr. Howe claimed and found justification for his claim, as he urged, in the utterances of some legal textbooks, that in an issue of this kind, in cases where sanity or insanity is the issue, the door for the admission of evidence is open wide, and every transaction of the life of the person, every expression he ever used, his manner of conducting himself on the most ordinary occasions, should be admitted as testimony because they have a bearing on the question.

Judge ALDRICH: That is very true, but as a practical solution you would not say that on the question of insanity you would necessarily offer, or the court would necessarily admit, every act of the man's life. It would take just as long as the man lived to try the case in that way. If he lived fifty years, it would take fifty years. It must be sufficiently applicable to the precise issue to make it worth while to admit it. Now, while we are perhaps interrupting you too much, it is always useful to see just what the application of such a general principle as that is to a given situation. Do you think that every act of Mrs. Eddy's life is necessary to be inquired into?

Mr. Howe replied to the question of the Masters by making some further quotations from court records.

Judge ALDRICH: Have you found any case where evidence of Christian Science faith has been introduced as evidence to show insanity, and which has been overruled

or has been ruled out? Has the question ever been a question of judicial decision?

Mr. HOWE: Perhaps the quotation of a Pennsylvania case will be a sufficient answer.

Mr. Howe then read many extracts from that case, ending with this quotation: "The question is not so much what he believed on these subjects as what effect had his belief on his mental condition. Did his belief unsettle his judgment and leave him under the influence of a delusion that usurped the place of reason and controlled his will? If this was his condition, then as to this subject he did not have 'a sound and disposing mind and memory,' although as to every other subject his soundness be conceded."

Judge ALDRICH: Read the last part of that paragraph again, beginning with "It is not so much."

Mr. HOWE: "The question is not so much what he believes on these subjects, as what effect had his beliefs on his mental condition."

Judge ALDRICH: With reference to his property?

Mr. HOWE: With reference to his property.

Judge ALDRICH: Or, to read it into this case, it is not so much what Mrs. Eddy believed as what effect that belief, if any, had upon the question of the management of her property?

Mr. HOWE: Yes; and on that exact point, in order to show what effect those beliefs had on the management of her property, we must put the beliefs in.

Judge ALDRICH: Not bodily, but specifically, in the sense in which Mr. Chandler opened.

Mr. HOWE: That is right; specific delusions —

Judge ALDRICH: If she had a particular belief, whether you and I would say it was sound or unsound, — if she had a particular belief that a force was operating upon the minds of her children with respect to her property and her business, a thing which as a matter of fact did not exist, then of course it would be competent as tending to show her mental condition in respect to property affairs. But is

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it wise or competent to consider the idea of admitting into this case bodily the books of Mrs. Eddy and all of her sermons and communications with reference to the articles of faith which she sustains and has sustained for forty years, and still does, which she not only admits but contends for, — is it worth while to spend time on that phase of the case?

Mr. HOWE: I should think so if the proof of the existence and influence of those things in any particular case may be —

Judge ALDRICH: Now, let us see if that is so. Suppose Mrs. Eddy believes, what perhaps you and I do not believe, that she can and that others can invoke divine influence to heal somebody in Egypt; whether it is sound or not, has it any bearing upon the question whether she could make a natural disposition of her property as between herself and her heirs, — has it any legal, pertinent force in that direction?

Mr. HOWE: Why, I think so. My view of it is —

Judge ALDRICH: Then you would say that if a man believes in direct response to prayer, that may be introduced as a piece of affirmative proof that he is so insane that he cannot manage his business affairs?

Mr. HOWE: No; we are getting back to the distinction between a delusion and a belief.

Judge ALDRICH: Now, a man who is a Christian Scientist, you say, believes one thing, and a man who is not a Christian Scientist says he gets a response to prayer in respect to storms, or another thinks that he can improve his business by praying for it, — they believe that. Would that be evidence sufficiently pertinent and relevant to be admissible upon the question of intellectual management of the property?

Mr. HOWE: I think not.

Judge ALDRICH: Then, if that is not, why is the other?

Mr. HOWE: I think that a diseased brain is less likely to properly conduct a business than a well brain —

Judge ALDRICH: I entirely agree with that. It is less

likely, in an infinitesimal sense it would be less likely, but when you deal with it as a practical question of relevancy, what had been received —

Mr. HOWE: — and that to each degree of debility in that brain which you are able to show, you to that extent decrease the probability of the existence of the ability to manage property. Now, take it in the concrete. To show one thing, like that your Honor suggested, that alone might not be evidence at all because it is an extreme case. Draw it a little closer and show that the man believes that the world is coming to an end day after to-morrow, and for that reason he will have no further use for his property, show that he absolutely believed that —

Judge ALDRICH: Wait a moment. Now, take that case, and he couples with that belief the statement, "I have no further use for my property; anybody may take it that pleases." Then you make it pertinent; but suppose he believes that the world is coming to an end and at the same time he holds a perfect, absolute, intelligent, and sane grasp upon the property, what then?

Mr. HOWE: Why, we would have to know what the particular question is, whether it results in the making of a will —

Judge ALDRICH: That is precisely what we say here; when you accompany any particular phase of her belief with something which connects it or makes it probable that it is influencing her mental condition in respect of property, it is admissible. The question we are to consider is whether we are to put in here *en masse* Mrs. Eddy's books and papers going back twenty years as tending to show insanity.

Mr. Howe then continued to read from the Pennsylvania case, and from an Indiana case entitled Addington *vs.* Wilson.

Mr. PARKER [speaking to Mr. HOWE]: Do you think the teachings of the Salem witchcraft, so called, Cotton Mather, for instance, were insane, or subject to insane delusions in the light of history?

Mr. HOWE: If I had a concrete statement of the facts in any particular case, I would value my opinion on that more highly than I would taking it in the general. If your Honor will state the facts in one particular case, I will try to answer the question.

Mr. PARKER: Was n't it a religious belief? Did n't they firmly believe it?

Mr. HOWE: The victims?

Mr. PARKER: Yes.

Mr. HOWE: That would depend on whether they caught the right one.

Mr. PARKER: There were those who actually believed in it, whether they were caught or not. Were they acting under an insane delusion?

Mr. HOWE: Probably not. . . . Now, in the witchcraft cases, if it had reached that stage where he was indifferent to what became of his property because he thought he was about to perish, indifferent to the claims of his children because he thought they were going too, and made his will, or a deed, or a gift, or set the torch to his buildings on that assumption, the act would be the product of a diseased mind.

Now, on the thunderstorm case [quoting from an authority]: "But a conveyance by a person who believed that he could control the elements, and asserted power in himself to recall from death, and constantly indicated signs of mental infirmity in various other ways, will be held invalid where it is not shown conclusively that it was executed during a lucid interval."

Mr. Howe continued reading from Ingoldsby *vs.* Ingoldsby, an English case touching a will that sought to establish a parallel between the persons not favored in that will, and Kennedy, Spofford, Ahrens, Glover and his daughter, J. Foster Eddy, the adopted son.

Judge ALDRICH: That does not contravene at all what has been suggested here several times; whether it is Christian Science or something else, if its operation upon her mentality is to influence her against the object of her nat-

ural affection, of course it is competent and tends to establish your case.

Mr. HOWE: I understood your Honor when I was referring to Kennedy, Spofford, etc., —

Judge ALDRICH: You did not accompany it with any idea that in any sense he was the object of her affections. If you did, we did not understand it so, but that he was somebody that was interfering with her business.

Mr. HOWE: No. I intended — but perhaps I failed to do so — I intended to state that all these people were intimates, they were intimate friends and associates, and suddenly they were turned out because of the operation of malicious animal magnetism.

Judge ALDRICH: We intended, in the ruling we made this morning, to refer to Mr. Chandler's opening statement as foreshadowing your case in this sense, that there were special delusions operating through and upon certain individuals, and that in that sense, whether it was Christian Science or something else, it would be competent evidence, and relevant evidence tending to show her possible attitude with respect to her property management. You need not take any time to elaborate that theory, because we intended to accept it, for the present purposes at least, as tenable. But if, for instance, a sermon was preached by Mrs. Eddy fifteen years ago in which she advanced and advocated what you and I would call extreme grounds, or perhaps pronounce untenable grounds, in respect to religion, we might perhaps not adopt it; but is it evidence tending to show general insanity? That is the question which you are asking me to rule upon now.

Mr. HOWE: A particular sermon?

Judge ALDRICH: I spoke of that simply to illustrate. You said yesterday that the whole system of Christian Science faith and practice and her writings tended to show general insanity. I, of course, am not undertaking to quote you, I do not state exactly your words, but that was the idea.

Mr. HOWE: It was my understanding that this partic-

ular question came upon the offer of the testimony of Buswell, and that that testimony consists of certain specific delusions.

Judge ALDRICH: Let me read a paragraph from the case of State *vs.* Jones. The opinion was by Judge Ladd, who always expressed an idea very forcibly:

"If we speak of *delusion*, for instance: before that can be adopted as the test, in the sense intended by the request in this case, it must appear that it makes no difference whether the delusion has any reference to or connection with the act or not.

"If we say, as Erskine said in Hadfield's case, that delusion is the test when it appears to have produced the act, — but not when it does not appear to have produced the act that the delusion and the act should be connected, — we admit that delusion cannot be a legal test, because it is not a universal test."

Now, that answers the whole question. If we were to assume what you propose to show is a delusion, yet it is not necessarily the test, and I am looking at Mr. Chandler because that was the theory of his opening, — it must be connected with the thing which you complain about, namely, want of business capacity by reason of delusions.

Mr. HOWE: It is my understanding that before we can make that connection we must first get the evidence of the delusions into the case. Of course, a single isolated delusion similar to the one I have mentioned in that case —

Judge ALDRICH: You must get it into the case, of course, but if it is so general, or if its nature is such as not to tend to show the connection, it is too remote, is it not?

Mr. HOWE: Certainly. If it is too general, so general that it has no bearing, it would be inadmissible, of course.

Judge ALDRICH: Then, in the sense which I have illustrated, if you should introduce something about Christian Science, which, you say, is a delusion, namely, that the idea of divine healing is a delusion, what bearing has that, as an abstract proposition, on the question of business management?

Mr. Howe: I do not understand that we are attempting to introduce anything of that kind. What we are attempting to introduce are specific instances of insane delusions, and for the purpose of arguing from them and asking your Honors to find —

Judge Aldrich: Now, Mr. Howe, that is not the proposition which you put up to us yesterday. It came upon the specific question in the deposition of Mr. Buswell, if that is the name, whether Mrs. Eddy twenty-three years ago to his knowledge was practising the system known as Christian Science.

At this stage Mr. Howe admitted that the question over which all the discussion took place was very immaterial, practically of no consequence whatever, and that, as far as the progress of the suit was concerned, had little place therein beyond the qualifying of the witness who testified to other things that followed.

The discussion, however, did not fail of a purpose. It cleared the court atmosphere wonderfully, and beyond doubt established what were the rights of the contending parties and how far the plaintiffs would be allowed to go in their endeavor to secure testimony, that is, how far back they could go into Mrs. Eddy's life and to what extent they could extract evidence from the books and correspondence of Mrs. Eddy.

## FOURTH DAY OF THE HEARING

THE record of what was done on this day is of necessity very brief, because there is little to record that is worthy of admission to a history of the proceedings, on account of the fact that a large part of the day was devoted to discussions among the attorneys over what was available as testimony and what was not; what depositions might be introduced and what ones might not. At the close of the arguments Mr. Kelley again took up the deposition of Mr. Buswell, and undertook to read some further questions therefrom, to which Mr. Streeter offered objections; but finally all objections were waived, as the Masters wanted to hear sufficient of the testimony to determine its application.

Mr. Streeter's principal objection to the introduction of the Buswell testimony lay in the claimed fact by him that the things contained in the deposition, even if true, were in no way connected with the management of Mrs. Eddy's property, that they did not tend to show her business incapacity in the handling of her estate.

Mr. Chandler spoke at some length with a view to ascertaining if possible how far he would be allowed to go back.

Judge ALDRICH: We are considering whether it is competent for them to show the nature of Mrs. Eddy's belief in this influence, malign animal magnetism.

Mr. STREETER: It is of the highest consequence here, because the sole purpose here, the sole purpose for which this suit was originally instituted by the "powerful friends" before these "next friends" came into the case, which was admitted by Mr. Chandler yesterday, — the sole purpose was to investigate the doctrines of Christian Science. We want to know whether we are going to try Mrs. Eddy's will here, or her capacity to manage her property. This view is based upon the suggested contingent right of these children to have her property taken from her because they

fear she may make a disposition of it that is unwarranted. If you will look at the situation as it is, you will see that the sole purpose of this is to try the validity of her will; it is not whether she is managing her property well now, which is all in the hands of trustees, and, with great respect to everybody, we confidently expect will stay there as long as she lives. The property is admitted to be safe. It cannot be taken away. The trustees have given a bond of half a million dollars.

Now, what they are trying to get at is to have an order made so that she cannot dispose of that property. I submit that is not the purpose of this inquiry. If her property is safe, if it is being taken care of, if it is in good hands, if it cannot be disposed of, then what is the occasion for opening up all the beliefs of this woman?

Judge ALDRICH: You may accept it as pretty certain that if the question had been submitted to us whether the property is now in good hands, instead of the one that was submitted, we should have less difficulty. The direct question is whether on the first day of March Mrs. Eddy was competent to intelligently manage, control, and conduct her business affairs and copyrights, not whether the trustees are.

Mr. STREETER: No. But with reference to this question the authorities submitted are strongly to the effect that it was not necessary for her to manage it herself; that she could do that by agents, and when you get down to it the real question is whether she had sufficient capacity to manage her property either through herself or through others.

Now, as bearing upon that question — I don't wish to dwell on it — but as bearing on that question, Judge Chamberlin said from the bench, so that it is a matter of record: "Of course, if she had a capacity to execute the trust deed of March 6, it is an end of this case," and that, as your Honors must see, is sound. That is, six days after this, after the date suggested to you, if she had the capacity to make that trust deed, it is absolutely an end of this case, and all this inquiry is of no consequence.

Judge ALDRICH: Did he so understand and express it?

Mr. STREETER: In plain terms. That is a matter of record, published in all the prints, and of which we have a stenographic record [and the record was produced].

Judge ALDRICH: That is the question he sent here?

Mr. STREETER: I understand that. The question that he sent to you was as stated in your commission, but the real question was —

Judge ALDRICH: Of course, we understand very well that it is a matter of convenience to a great many people to put their property in the hands of trustees, and a great many people do not put their property in the hands of trustees but have it done by agents and know very little about it, trust it all to agents. Heads of departments of the government who sign papers do not know what papers they sign. The fact of executing this trust deed is no evidence of incapacity. The other side say that under the circumstances it was subject to criticism, and that depends upon her mental condition on the first of March probably.

In the somewhat lengthy discussion that followed, Mr. Streeter, referring back to what had taken place between the Masters and counsel for plaintiffs touching the relations existing between Mrs. Eddy and her son, said: "The question has not been submitted to you to determine anything regarding the relations of Mrs. Eddy to her son and granddaughter. They are not material to your inquiry. You are asked to determine whether Mary Baker G. Eddy is competent to intelligently manage, control, and direct her financial affairs and property rights, not with reference to the disposition of her property. And when this son and granddaughter come before you and say that they have contingent rights with reference to the ultimate disposition of Mrs. Eddy's property, they are asking you to pass upon a question which is not referred to you."

Mr. STREETER: Your Honor asked Mr. Howe the question whether this matter of Christian Science belief had ever been the subject of judicial decision. Mr. Howe

had not done us the honor to read the brief of authorities which we furnished. You will find it on page 33, in the matter of Brush's Will, 72 N. Y., Supp. 421 (Surrogate's Court, 1901).

The paragraphs in the New York case that were deemed applicable to this case are reproduced with a note of explanation as gleaned from the complete text.

It was a will case. The testatrix had a supposed hereditary tendency to consumption. About twelve years before her death she became converted to the beliefs of Christian Science; her condition thereafter improved, and she believed she had fully recovered and that her recovery had been effected entirely by Christian Science. During the remainder of her life she was devotedly attached to this religious belief, taking instruction in the teachings of Christian Science, constantly attending Christian Science services and giving and loaning substantial sums of money to the church. Her sisters were strongly opposed to her views.

To questions at one time propounded to her by a doctor, she ascribed to Christian Science marvellous powers, such as the ability of a person to live after extracting all the blood from his body. She revoked a former will, and by the will in controversy gave the bulk of her estate to the Christian Science Church of New York City. She at no time showed any lack of prudence in managing her business affairs, and was cognizant of the amount and nature of her property. Held, that these facts disclosed no lack of testamentary capacity, and that the will must be sustained.

During the progress of the trial it was held that the decedent's beliefs in Christian Science and in the powers of Christian Science were insane delusions, and certain experts so testified. On this point, after reviewing the general character of the doctrines of Christian Science, the court said:

"It is therefore evident that, however opposed these teachings may be to the beliefs or notions of others, *they*

*are founded on the religious convictions of those professing them. This being so, the court cannot say that those persons are mentally unsound. The truth or falsity of a religious belief is beyond the scope of a judicial inquiry.* Thus the court has often been asked to pass upon the falsity of spiritualism, and to hold that a follower of this faith, which, like Christian Science, is contrary to the convictions of most men, was of necessity laboring under an insane delusion; but it has uniformly refused so to declare or hold. There can be no doubt that the decedent's belief in the religion which she had adopted, and her strong adherence to the church wherein she worshipped, were the cause of the making of her will. Consequently the only question which concerns us is as to the effect of this belief on her mind, *the belief itself not being any evidence of insanity*. . . . As the Court of Appeals has said, 'if there are facts, however insufficient they may in fact be, from which a prejudiced or a narrow or bigoted person might derive a particular idea or belief, it cannot be said that the mind is diseased in that respect.' And it matters not whether such idea or belief be utterly ridiculous or illogical; it is still not evidence of insanity."

With regard to the decedent's statement that a person could be kept alive by Christian Science after all his blood had been withdrawn, the court said:

"It is fair to infer, from what has been testified to as to the teachings of Christian Science, that the decedent meant that since everything was possible in her faith, life could be preserved even in the miraculous manner supposed, providing that in any given case the healer could adequately realize the powers of, and place himself in sufficient harmony with, the divine mind. There is nothing to show that the views involved in her answers to the doctor were acted on, and if the belief in Christian Science itself is not an insane delusion, *I fail to see how mere convictions of the efficiency of its powers in supposed cases can be termed evidences of insanity.*"

The court further held that the decedent's attitude

toward her sisters was no evidence of insanity, because a sensitive person would naturally be wounded by unfriendly criticism of her religious convictions, and that her belief that she had been cured of consumption by Christian Science could not be termed an insane delusion. "She certainly had been ill, she appealed to Christian Science, and she believed she had recovered her health." The court concluded, upon full consideration of the voluminous testimony, that the burden of proving the decedent's soundness of mind had been amply sustained.

After reading the above case, Mr. Streeter argued that the court had no right to go into the question of the relations existing between the mother and her son and her granddaughter, to which the court replied:

"As a matter of law, it is not for this tribunal to inquire into the relations between mother and son."

After a somewhat lengthy discussion by Senator Chandler on the subject, the Masters announced that the question of the disposition of Mrs. Eddy's property had no place in the present proceeding.

At this point Mr. Chandler asked the Masters to fix the limitation of testimony to be taken. He also asked a ruling as to the admissibility of Mrs. Eddy's public works and produced copies of the first and latest editions of "Science and Health" and other works from Mrs. Eddy's pen.

After an extended conference Judge Aldrich, speaking for the tribunal, announced the following ruling:

"I desire to say, in making a brief ruling upon the question that has been under discussion, that we appreciate that it is a delicate question under the constitution, and that we can only give it such consideration as comes upon a trial under progress. We make the ruling upon such impressions as we have, and we understand that it is subject to exception, and we fully understand that it will operate to limit somewhat the scope of what is proposed on one side, and perhaps enlarge somewhat the scope contended for by the other side. It is this:

"We are all of the opinion that evidence tending to show that Mrs. Eddy is in a delusory mental condition in respect to forces operating upon her relatives and 'next friends' and through them upon her business, if of a character to show mental impairment and to influence her in business affairs, is admissible. This is limited to alleged delusions which reasonably connect themselves with Mrs. Eddy's mental condition with respect to the management of property affairs. The majority of the board think that as these alleged delusions relate to conditions of mental prejudice, that going back to 1890 is not remote."

To this ruling Mr. Streeter excepted.

On the preceding day in court a demand was made for the books of Mr. Armstrong, one of the directors of the Mother Church in Boston, and Mr. Streeter stated that Mr. Morse, attorney for the Massachusetts defendants, was in conference with Mr. Armstrong and that in a short time all the papers of Mr. Armstrong possible to obtain would be in possession of the court. Practically all of the balance of the day's session was occupied in the offering of letters written by Mrs. Eddy to different parties on and after 1890, but the letters went to prove nothing outside of the fact that at all times Mrs. Eddy was absolute master of the situation, and that she directed all of the important things connected with her church, her kin, and her business affairs.

Practically all of the depositions secured by counsel for "next friends" were ruled out by the court.

Counsel for "next friends" offered the following motions:

## SOME MOTIONS AND RULINGS BY "NEXT FRIENDS"

THAT an order be made by the Masters that alienists be allowed to visit and examine Mrs. Mary Baker G. Eddy for the purpose of testifying before the Masters as to her mental condition.

2. That the Masters make such orders in this case:

(*a*) To produce Mrs. Eddy in court for the purpose of examination in the ordinary course by counsel for the "next friends," if the Masters deem her physically able to attend.

(*b*) To examine her in her own house in the manner in which ordinary witnesses are examined if the Masters deem her physically unable to come to court.

(*c*) If sessions of court are held at Mrs. Eddy's house by the Masters, that the hearing shall be conducted according to the usual rules of court procedure.

(*d*) That the plaintiffs and "next friends," George W. Glover and Mary Baker Glover, the son and granddaughter respectively of Mrs. Eddy, and Dr. E. J. Foster, adopted son, be not excluded from the sessions of the Masters at the house of Mrs. Eddy, if the sessions are held there.

(*e*) That none of the counsel for the "next friends" be excluded from the sessions of the Masters at Mrs. Eddy's house, if any sessions are held there.

(*f*) That the Masters immediately issue an order that counsel for Mrs. Eddy file, or cause to be filed, with the clerk of this court, on or before Monday, August 19, 1907, at twelve o'clock noon, all books, contracts, and other writings in the possession of Joseph Armstrong, Calvin A. Frye, and Henry M. Baker, Archibald McLellan, and Josiah E. Fernald, alleged trustees, which relate in any way to the financial transactions and business affairs of Mrs. Eddy from the year 1890 to this date, with a list of

the investments of Mrs. Eddy on March 1, 1907, and the original audits made since 1890 of Mrs. Eddy's business relations with others.

JOHN W. KELLEY, of counsel for "next friends."

The court took the motions under advisement.

Mr. Morse of Boston, counsel for Mr. Armstrong, appeared in court and said that he had secured all the letters between Mrs. Eddy and Mr. Armstrong and would produce them on the following Tuesday morning, at the same time stating that the books belonged to The Christian Science Publishing Company and it would be difficult to take them from the office and bring them to Concord.

Mr. Streeter objected to the exhibition of the details of Mrs. Eddy's business, and Mr. Morse, in order to satisfy all parties, said he would bring the books to Concord on Tuesday and place them in the possession of the court to be held by the court, to be examined as questions relating to them came up.

Many more letters written by Mrs. Eddy and offered by counsel for "next friends" were introduced. Some of them were accepted as evidence, many of them excluded.

In the reading of one from Mrs. Eddy to her son, George W. Glover, Judge Aldrich halted the proceedings and said:

"I think we will take up now the motions which you submitted this morning. I understand that to one of the motions, the one appertaining to the right to examine the books of Mr. Armstrong, and papers and writings of Mrs. Eddy in Mr. Armstrong's possession, there has been agreement, so there is nothing to do about that. The other motion is for an order that the Masters arrange for alienists to visit Mrs. Eddy for the purpose of testifying. That is the point raised by the first paragraph of the motion, and the others relate to the question of whether Mrs. Eddy should come into court.

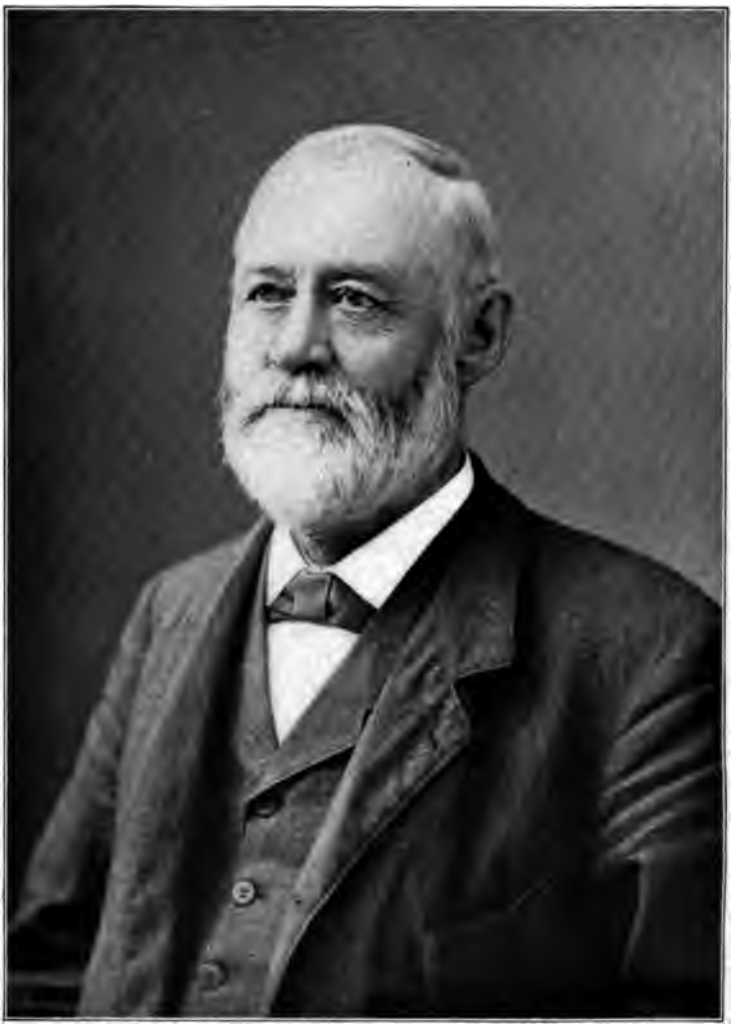
"We will deal only with the first to-day. That raises the question of whether the Masters will allow alienists to

visit Mrs. Eddy for the purpose of testifying. I want to say in reference to that, and Dr. Jelly agrees with this idea, that because one member of this Board of Masters is an alienist there is no reason, so far as we can see, why the case should not take the usual course with respect to the introduction of testimony. The fact that Dr. Jelly is an alienist would not prevent either side producing proofs from alienists, any more than, because Mr. Parker is a lawyer of wide experience, questions of law should not be discussed before us by counsel of experience and learning; so we have nothing in the constitution of the board which abridges the rights of the parties one way or the other in respect to proofs. Now, having that view of the situation, what do counsel suggest? What do you say, Mr. Streeter? They ask for an order that alienists be permitted to examine Mrs. Eddy for the purpose of testifying."

Mr. Streeter questioned seriously the legal right of the Masters to order an examination of Mrs. Eddy by alienists.

"If the Masters please," said he, "we have considered this subject a great deal. Mr. Chandler has invited us to assent, and we have not done so, and we have told him that we should not assent. If we do not misunderstand the status of this case, Mrs. Eddy is a lady who has some fundamental rights here, some rights which up to now, in some respects, do not seem to have been altogether regarded. I do not refer to anything that has happened since this hearing began. We believe that if somebody comes along and claims to be the next friend of a citizen and to bring a suit in behalf of that citizen, and he is asked — the 'next friend' is asked — to show grounds upon which he exercises that protection, the citizen who is charged with being an incompetent is not obliged to open his house to the 'next friend'; is not obliged to have doctors or alienists or other people sent to the house.

"I am expressing our views regarding the fundamental rights, not the position that we should take, because we



STEPHEN A. CHASE, BOSTON
(Director and Treasurer First Church of Christ, Scientist, Boston)
(Biographical Sketch, page 357)

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want our position to be as nearly in accordance with what the Masters think it reasonably ought to be as is possible; but so far as the right is concerned, we do not believe that there is any power, either on the advocation of the 'next friend' or otherwise, in a case of this kind or at this stage of it, to submit this aged lady to that examination of experts.

"Now, I had earnestly striven to have the Masters go out and see her, because I felt, as did my associates, that after you had seen her this whole matter could be left in your hands; that is, that you could determine regarding the rights of this woman as you would your own mother, and would be able to exercise that reasonable judgment as to what ought to be done under the circumstances, and I had hoped that the Masters would take the view that upon this showing, this meeting her, you would not advise Mrs. Eddy to submit to the examination of any experts that she did not choose to have come to see her. Your Honor has reminded us from time to time that this is a friendly proceeding, that it is not one in an adversary sense."

The Masters expressed doubt as to their right or power to compel Mrs. Eddy to submit her person to an examination, and asked counsel on both sides to enlighten them as to what was the practice in New Hampshire.

Mr. Chandler thought it was within the power of the Masters to cause such an examination to be made. He thought that either the Masters with counsel and with expert alienists could go to Pleasant View at their pleasure, or Mrs. Eddy could be compelled to come into court.

Mr. Howe was of the opinion that in the pleadings filed by Mrs. Eddy's counsel might be found a statement that settled the contention. The language of the filing upon which Mr. Howe based his conclusion, was found in Mr. Streeter's brief, and was as follows:

"The filing of this bill *ipso facto* places Mrs. Eddy's person and property under the protection of the Chancellor," and Mr. Howe's interpretation was, "placed her

person and property both within the jurisdiction and under the domination of this court, which he said seems to answer the question of examination of her by alienists."

Mr. Eastman, replying to Mr. Howe, held that the filing of the bill placed Mrs. Eddy's person and property under the protection of the Chancellor, but did not place it there for the purpose of giving Mrs. Eddy annoyance or trouble, but rather protection. Mr. Eastman said:

"It simply means that the Chancellor will see that the rights of a party are duly protected and that it is the duty of the Chancellor not to override the law and the rights which were given to a party under the constitution and laws of the state, but to see that such party has protection."

After an extended discussion the Masters said:

"We desire to reiterate the idea that this suit is, at least in theory, a friendly suit, and we desire so to conduct the hearing as not to offend the usual course of justice, and so far as Mrs. Eddy is concerned, we shall treat her as we would any party who is under the limitations which natural conditions under ordinary circumstances impose upon humanity in general at eighty-seven; and before considering the question whether we have the power to order her to submit to such examination, and before considering the wisdom of such an order in case we have the power, we present the following plan as a tentative suggestion and as something which counsel perhaps on both sides will agree to: Mr. Chandler to name two alienists who may go at such times as the Masters and counsel go, who may observe Mrs. Eddy's physical and mental appearance under examination by the Masters and counsel, and make tests for themselves in the presence and under the direction of Mr. Chandler in the presence of the Masters."

To this Mr. Chandler, speaking for "next friends," assented, but afterwards contended that the privileges granted in the order were not as broad nor as liberal as he would wish. Mr. Chandler thought that the court should not determine what counsel should go. He thought that

all counsel desiring to go should be allowed to go, and that "next friends" might also be permitted to attend, but the court insisted that Mr. Chandler had already yielded consent to the order, and that the order of proceedings, so far as Mr. Chandler was concerned, was settled.

Mr. Streeter hesitated about yielding consent to an arrangement that radically changed the plan of procedure and trespassed upon what he thought were the personal rights of Mrs. Eddy, and would not yield agreement to the order until he had had opportunity to talk it all over with his associate counsel and client, and asked permission, that being Friday evening, to reserve his right to object and reply until the following Tuesday, when court would again convene.

The court was of the opinion that if it were possible a conclusion as to the permitting of alienists to go to Pleasant View should be settled at that time, but finally agreed that final action upon the order be deferred.

## FIFTH DAY OF THE HEARING

ON the reconvening of court Tuesday morning, August 20, the production of the books and papers of Joseph Armstrong of Boston was taken up, and after some deliberation and consideration it was ordered that the books go into the hands of the court, with permission to examine them, also the contracts and correspondence. There was also taken up at that time the deposition of Mr. Cushing, to the admission of which Mr. Streeter objected, on the ground that it covered matters back as far as 1866 and was too remote, and the Masters held that under their ruling the deposition was excluded.

Mr. Streeter reported that he had considered the matter very fully, and said that he would consent to any arrangement which the Masters considered just and reasonable appertaining to the examination of Mrs. Eddy by alienists.

Counsel for "next friends" at this stage of the proceedings asked for a list of the securities owned by Mrs. Eddy. Counsel for Mrs. Eddy insisted that in due time, in the presentation of her side of the case, the list of securities would be put in, but it would be put in by them, and not by counsel for "next friends."

Then Mr. Chandler asked that the list be furnished to counsel for "next friends" confidentially, in order that "next friends" might prepare their case.

The court sought to settle the controversy by saying that the trustees might be put on the stand.

Henry M. Baker was called, but was immediately afterwards excused on an objection filed by Mr. Streeter to the testimony offered.

Mr. Streeter then insisted that the court should make a ruling, and the court held that it was about time "next friends" were offering some proof in support of their contention.

Mr. Chandler called attention to the fact that all the

evidence in the case was in the hands of the other side. He said the list of securities was in the possession of the opposition, and thought that the court ought to make a ruling to compel the other side to file the list, thus making it possible for "next friends" to introduce some testimony.

The Masters held that the list was not competent as evidence in the proceedings.

Counsel for "next friends" at this stage seemed to begin to realize that they were absolutely without proof in support of the allegations in their petition, and all present were impressed with the belief that every effort being put forth by them was simply "sparring for time." It was clear that they were beaten, and that they knew they were beaten, and beaten by their own weapons or lack of weapons.

They introduced a lot of letters to which the opposition offered no objection whatever, saying that it was not necessary to read them, that they might go into the record without.

Then Mr. Kelley for "next friends" offered a message from Mrs. Eddy to the Mother Church in June, 1901.

Mr. Streeter objected to this on the ground that it did not come within the scope of the proceedings.

The Masters asked how the message connected itself with the business situation.

Mr. Chandler said that it brought in the subject of malicious animal magnetism, and its influence on the mind of Mrs. Eddy, and he declared also that the admission of this brought up the question of the admission of Mrs. Eddy's works as evidence in the case. He further declared that the doctrine of malicious animal magnetism pervaded the life of Mrs. Eddy from her earliest writings down to the present time, and he asked the privilege of a full exploitation of alleged delusions.

The Masters held that the alleged delusion was only admissible as connected with the conduct of business affairs, but, as bearing upon that issue, Mr. Kelley was permitted to read certain extracts from the message, subject to exceptions taken by Mr. Streeter.

At the conclusion of the reading the court brought the question back to the effect of the alleged delusion on business capacity.

Mr. Chandler said it had been shown that malicious animal magnetism was a delusion, and he asked the Masters to hear all of the evidence in order that its effect on the mind might be determined.

"The opinion of alienists," he said, "on that question is wanted. The question might be determined without the aid of alienists, but it cannot be decided without testimony," and he attempted to read a paper giving Mrs. Eddy's views on malicious animal magnetism that had already been excluded by the court. It was claimed the paper was dated 1890, and the court held that it was admissible, and the letter was read, Mr. Streeter objecting on two grounds: first, that it was too remote; and second, that it had no connection with the management of Mrs. Eddy's business affairs.

Following the reading of the letter, adjournment was had until three o'clock in the afternoon, and at three o'clock, just as order was demanded, Mr. Chandler asked for an adjournment on the ground that he must offer the books of Mrs. Eddy and put his witnesses, George W. Glover, Miss Glover, and J. Foster Eddy, on the stand. He said that time was also needed to arrange for the visit of the alienists to Pleasant View, and that if an adjournment were granted, it might serve to shorten proceedings by giving him a chance to get his case in shape.

Judge Aldrich replied that no time was needed to arrange for the visit to Pleasant View, as that might be made at any time by the agreement and at the convenience of counsel; but that if an adjournment would work for the benefit of all concerned and expedite the forwarding of the case, there were no objections, and recess was ordered until half past nine on the following morning.

## SIXTH DAY OF THE HEARING

ON the morning of August 21, 1907, the day that marked the close of the memorable trial, there were all manner of rumors on the streets of Concord touching the failure of "next friends" to make a case, and the impression was very general that at a conference of counsel for "next friends" held the preceding night, it had been agreed to abandon the proceedings.

On the reconvening of court, when all present were seated and order declared, Judge Aldrich for the tribunal said, "What next, gentlemen?"

Senator Chandler arose and said: "May it please the court, it will doubtless be a relief to the Masters to be informed that the counsel for the "next friends" have this day filed with the clerk of the court a motion for the dismissal of the pending suit, and that they hereby withdraw their appearance before the Masters without asking from them any finding upon the questions submitted to them by Judge Chamberlin.

"There are many reasons for this action. The principal one arises from a consideration of the unprofitableness of any immediate result of a decision in our favor upon the exact issue as now framed, compared with the burdens and disadvantages to be endured by us, both before and after such a decision.

"The suit has been almost wholly altruistic in its nature, and not a single dollar of the large fortune whose existence is disclosed, or which might be enlarged in consequence of this suit, can become at this time the property of the 'next friends.' There are also reasons sentimental in their character overcoming the strong desire of the 'next friends' to prove the facts and vindicate the reasons

upon which the suit has been based, which suit, however, is now hereby dismissed."

The motion to which Mr. Chandler referred follows:

"The counsel for 'next friends' in the above suit, in their behalf, move the court that their petition in the suit be dismissed, and they do hereby dismiss the suit."

## MR. STREETER'S MEMORABLE ADDRESS

WHEN Mr. Chandler had resumed his seat, Mr. Streeter arose and advancing well toward the front of the room, impressively and emphatically said:

"If your Honors please, in behalf of Mrs. Eddy, my associates, the Attorney-General, Mr. Eastman, and Allen Hollis, join me in presenting the following motion: That the Masters proceed with the hearing, to determine the question submitted, namely, Mrs. Eddy's competency to manage her business affairs March 1, 1907.

"Upon this motion I desire to speak briefly, and perhaps more temperately than the circumstances would justify me in speaking.

"If we are allowed to proceed we should show you that on February 12 Mrs. Eddy began to arrange for the entire management of her property during her life, and to make liberal provision for her kindred during that time. I will not go into the details of these matters excepting to say to you that if your Honors are not already satisfied we should be able to satisfy you beyond question, not only of Mrs. Eddy's absolute competency to deal with her affairs, but that during the last two weeks of February, the last two weeks before this suit was brought, she was dealing with those questions with sagacity so far as her business matters were concerned, and as a noble Christian woman so far as her next of kin were concerned.

"Now, your Honors, neither Mrs. Eddy nor her counsel have the power to prevent her so-called 'next friends' from trying to persuade Judge Chamberlin to let them dismiss the bill and get out of court. Neither have we the power to prevent their unconditional surrender in the middle of this hearing before the Masters.

"They volunteered to begin this wretched assault upon the person, property, and religious faith of an aged citizen

of New Hampshire, and now, six months later, when their charges have utterly collapsed, they run to cover. This is their legal right, but I speak of the legal rights of Mrs. Eddy.

"Let me temperately review the situation. She is an honored citizen of this state, entitled to the protection of its courts. She is the founder and head of a great religious organization, with many hundred thousand devoted followers. On March 1 last, she was living peacefully in her own home, surrounded by faithful friends of her own choice. She was possessed of a large property, acquired almost solely from the sale of her religious writings. It will sometime appear that, after providing liberally for her own kin, she has devoted much of her estate to the promotion of the religious views taught by her. She was a good citizen. She was, and is, entitled to the protection of the law.

"On that day, March 1 last, this suit was instituted by a great newspaper which had hired and paid eminent counsel to bring it. It was primarily an attack upon the religious teachings of a great religious leader. A son and an adopted son inconsiderately loaned the use of their names as 'next friends,' and the agent of this newspaper who visited the son at Lead City, Dakota, November 29, and the adopted son at Waterbury, Vermont, March 6, and persuaded them to co-operate, is now writing in the presence of your Honors at the reporters' table.

"This suit was brought in her name against ten honest men, alleging, first, that she was incompetent to protect her property, and, second, that these ten defendants have wrongfully misappropriated her funds. Not one of these defendants had ever taken a dollar of her money. They have answered under oath. The truth of their answers is admitted. The suit was based on false pretences. The situation was unique in legal history. Mrs. Eddy, in the eye of the law, was not a defendant, although the proceedings were, in fact, being directed solely against her. She was not a plaintiff; the suit was brought against her will.

Her trustees, who held and were managing her entire estate under a valid deed, prayed for leave to intervene. Their petition was denied. She personally appealed to the court for protection. She urged that the maintenance of these proceedings by these alleged 'next friends' was an abuse of the processes of the court and an unwarranted interference with her constitutional and legal rights, and that she was entitled to speedy relief.

"She represented that under the constitution and laws she was of right entitled to a determination of the questions, first, whether her property interests have been and are now fully protected, and whether there is any lawful or just occasion for the maintenance of these proceedings by said 'next friends'; and, second, whether the trust deed and the appointment of trustees and attorneys by her was thereby her free and intelligent act and carried out her own wishes; and, third, whether the proceedings were brought in good faith for her personal benefit, and as a citizen she prayed for a speedy determination of these and other questions — all without avail.

"These so-called 'next friends,' her assailants, bitterly opposed her petitions and they were denied. They insisted that her competency should be determined by the court, and their requests were granted against her protests.

"You were appointed Masters to pass on the question submitted in your commission.

"Knowing that upon the evidence there could be but one outcome of this hearing, she did not hesitate to submit to your decision. She has co-operated with you to obtain a full investigation. She has assented to every suggestion made by the Masters to enable them to arrive at a just decision. She has submitted herself to your personal examination in the presence of counsel for the alleged 'next friends,' and the stenographic report thereof, inaccurate in many respects, has been given to the world. She has been asked to submit herself to the examination of hostile alienists, and, for the purpose of enabling you to reach a just conclusion in your own way, she has as-

sented to that. Nothing that your Honors thought would aid in the ascertainment of the truth has been objected to by her or her counsel.

"This trial has been proceeding five days, and with the exception of her own examination before you, the only evidence submitted is a few letters selected out of thousands written by her, and a few fragments of her other writings. Upon the charge that her money has been misappropriated, that her property was not safeguarded, not one word of testimony has been introduced. The charge that she is incompetent has utterly collapsed, and now these altruists who pretended and represented to the court that they brought this suit as her friends, for her protection and in her interests, have made their public confession to the world.

"Under these circumstances, we submit that Mrs. Eddy has a legal right to a finding of her competency — to such a finding on the case as it now stands. If you think otherwise, then to a finding upon such further evidence as she may produce.

"Any other result will bring reproach, in the eyes of the world, upon the administration of justice here.

"I speak, your Honors, not only for Mrs. Eddy, but for every other citizen of this state whose person, property, and religious convictions are now endangered.

"In their name, and in the name of this honorable and honored woman, we respectfully demand that a finding of competency be made by your Honors upon this issue, thrust upon her and submitted to your decision by the court."

Judge ALDRICH: We have only this observation to make with reference to the present aspect of this case. We have acted from the beginning upon the idea that the issue submitted to us was purely a property issue. We have endeavored to hold the lines of the trial with that view of the controversy, excluding so far as possible all considerations in respect to religious doctrines or religious faith. Of course, in order to have an issue, there must

be a suit, a proceeding, either at equity or at law. There was such a situation in respect to the parties in this case, and out of that suit Judge Chamberlin framed an issue which he submitted to the Masters here and in which he in detail provided what appearances should be made, what parties should appear here, and evidently contemplated that the "next friends" were to go forward and maintain their claim with respect to the issue presented. They having withdrawn from this hearing, and with notice that they intend to exercise the right to dismiss the bill in the Superior Court, we think there is nothing left to be answered by Mrs. Eddy or decided by us. Therefore we should not feel warranted in going forward *ex parte* with the view to establishing the mental status of Mrs. Eddy on the first of March. We think we should report to the court what has been done, that is, report the evidence under the commission. The commission, I think, requires that we should report the evidence.

We may be wrong in our disposition of your motion, Mr. Streeter, but although this is a friendly suit, as we have said, it in a sense of course involves the interests of different parties, and when the party who asserts a lack of mental capacity withdraws there is really no controversy left; Mrs. Eddy stands with nothing to answer, as we view it. If we take the course which I have just suggested, report all the evidence up to the present time, and then report what action has been taken by the "next friends" on your motion, then, in case we are in error about the effect of this withdrawal, Judge Chamberlin will only have to direct that the trial proceed, and if we are right he will only have to accept the situation as one in which the plaintiffs have the right to dismiss the bill and end the controversy.

If we should go forward, we might do something unwarrantable, and according to our view we should if we undertook to decide this issue, to go forward in the absence of "next friends" and decide upon the question of Mrs. Eddy's capacity. If we should stop and report what

has been done to Judge Chamberlin, there could be no harm done, except such as results from delay.

I think, before these three volumes which have come from the stenographer are formally made a part of the report, the record should be corrected, either by myself or in connection with Mr. Parker and Dr. Jelly, or by counsel. There are necessarily some verbal errors, of course. We do not mean that as any criticism upon anybody. Is there anything further to be said? Do you except to this, Mr. Streeter? Do you except to the refusal to proceed?

Mr. STREETER: I cannot help accepting it. If I could help it, your Honors, I should. I beg your Honors' pardon, I did not understand your question. You asked if I excepted?

Judge ALDRICH: Yes.

Mr. STREETER: I do except, yes, sir.

## COMMENT ON DISMISSAL OF SUIT

THERE are those outside of Christian Science who intimate that there was a compromise, and that the dismissal of the suit was the result of a compromise, and we ask all who have carefully considered the detail of the proceedings as herein reported whether the developments recorded were not entirely in favor of Mrs. Eddy and if the dismissal of the suit was not inevitable, if any other alternative remained for "next friends" or counsel for "next friends"?

If these were the conditions, we ask them what justification would Mrs. Eddy, her trustees, or her counsel have for entering into a compromise of any kind?

Is it not a fact that not one word of testimony was offered by "next friends" which went to prove a single allegation in their bill?

Is it not a fact that the Masters were appointed for the purpose of ascertaining whether or not Mrs. Eddy was able to manage her own business affairs, and is it not a fact that all who went to Pleasant View, including Senator Chandler, were convinced by Mrs. Eddy's presence, her poise, her answers to questions, her able discussion of things at issue, her familiarity with her business affairs, that she was absolutely sane and responsible and in every way competent to manage and guard her own interests?

Is it not a fact that Mrs. Eddy and her counsel and her friends were absolutely assured of a decision in her favor?

Is it not a fact that Mrs. Eddy, her counsel, and her friends really desired such a decision?

If you answer "yes" to all these questions, why should there be any compromise? Why should Mrs. Eddy, her counsel, or her friends, by the making of concessions or the paying of money, almost at the close of the trial entirely in her favor and becoming more favorable to her with

each passing hour, seek to prevent a decision which, under the circumstances, was most desirable to her and to them? But, if a doubt still lingers, let it be dispelled by the positive statement of the author (and he knows): "There was no compromise."

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## THE END OF THE SUIT

THE report of the Master and co-Masters in the famous hearing was filed with the clerk of the court on the morning of September 30, 1907, and in substance states that due notice was given to the parties of a hearing at the Superior Court room in Concord, and an adjourned hearing at Mrs. Eddy's, and attention is directed to the fact that the extent of the hearing is shown in a transcript of the stenographic record of the proceedings.

On August 21, 1907, the report goes on to say, the hearing came to an end. Counsel for "next friends" on that day informed the Masters that they had filed with the clerk of court a motion for the dismissal of the suit and signified their withdrawal from the case without asking for any finding upon the questions submitted.

Under the conditions thus presented, the hearing was brought to a close without any finding upon the question of Mrs. Eddy's mental condition, and the report was signed by Edgar Aldrich as Master, and H. W. Parker and George F. Jelly as co-Masters.

On the same day on which the report of the Masters was filed, the case before Judge Chamberlin was heard and dismissed.

It will be remembered that at the close of the hearing before the Masters counsel for "next friends" asked leave to dismiss the suit and to withdraw from the case.

On the convening of court by Judge Chamberlin, the report of the Masters was read and accepted, after which Mr. Chandler, continuing to act for "next friends," made some extended remarks touching the dismissal of the suit, and while not expressing any regret over the filing of his motion to dismiss, nevertheless, in a negative way, left the impression that he expected the suit to continue when referred back to Judge Chamberlin through the report of the Masters.

Mr. Chandler asserted that Mr. Streeter had made some objections at the time to the dismissal of the suit, but Mr. Streeter arose and said that he had no objections at this time to the granting of Mr. Chandler's request for its dismissal.

Mr. Chandler asked for a delay, detailing the effort he had made to complete the record, saying that he wanted to get before the court in proper shape the exceptions he had taken to the finding of the Masters, and that he also wanted to prepare a brief covering these objections and explaining why he had applied to the court for dismissal of the proceedings.

Judge CHAMBERLIN: This is a motion to dismiss, is it not?

Mr. CHANDLER: Yes.

Judge CHAMBERLIN: What necessity is there for argument?

Mr. CHANDLER: In order that the court may note the reasons for the motion to dismiss.

Judge CHAMBERLIN: Mr. Streeter, do you oppose the motion to dismiss?

Mr. STREETER: No. We have filed no motion to go on with the hearing before this court. I think Mr. Chandler is mistaken about that.

Concerning the costs of the suit, Mr. Chandler said that no costs should be allowed against "next friends"; that the costs should be paid from the million dollar fund which the proceedings had disclosed, and he asked time to prepare a brief in support of his contention in this.

Mr. Streeter replied that the taxation of costs was covered by the New Hampshire statute; that the matter was wholly within the discretion of the court. "The Masters' fees," said he, "have to be paid, but I object to an order compelling Mrs. Eddy to pay them, while I would not object to an order against Mrs. Eddy's trustees under the trust deed of March 6, for the purpose of bringing them in as parties to the proceeding."

Mr. Streeter thought that the amount of such fees could

be fixed by agreement of the parties, but he claimed that if such fees or any part thereof were charged up against his side, that the order should be directed to the trustees and not to Mrs. Eddy.

At this point Mr. Chandler sought to submit a brief containing his claimed objections to the rulings of the Masters.

Mr. Streeter asked permission to examine the paper referred to, and he strenuously objected to the filing of it, because he said that the greater part of it was devoted to the exploitation of the depositions taken in Boston, which, under an order of the court, were impounded until passed upon by a competent tribunal and ruled competent evidence, and he urged that counsel for "next friends" were making use of this supposed or so-called brief to get some of the things so impounded released for publicity purposes. Mr. Streeter charged that the suit having been dismissed, counsel for "next friends" had no standing in court and had no right to demand the filing of briefs or other papers in the case.

Judge CHAMBERLIN held:

1. That the brief could not be filed.

2. That the motion of "next friends" to dismiss the bill be granted.

3. That the report of the Masters be affirmed.

4. That the trustees under the deed of trust executed March 6, 1907, by the Rev. Mary Baker G. Eddy be allowed to come in and be heard on the question of costs.

5. That "next friends" have until October 10 to file a brief on the question of costs.

6. That counsel for trustees have until October 15 to reply.

7. That arguments on the question of costs be submitted on October 15.

The careful reader will observe that the motion filed by Mr. Streeter, requesting that Mrs. Eddy's trustees be substituted for her in the event that any costs be charged up against the defence, very effectively covers all that Mrs. Eddy and her counsel sought to secure by the motion to have the trustees intervene and be substituted for "next friends" at the inception of the proceedings.

The substitution of the trustees for Mrs. Eddy in the taxation of costs was very generally considered a formal judicial recognition of Mrs. Eddy's ability, legal, mental, and otherwise, to establish a trust, to select trustees, and to dispose of her property in such manner as she deemed best.

## THE PAYMENT OF COSTS

AT the hearing at the court in Concord, September 30, 1907, by Judge Chamberlin for the purpose of receiving and acting upon the report of the Masters, the question of paying the costs of the entire suit arose, and Mr. Chandler said "next friends" should not be held for any part thereof, but that all should be paid out of the million dollar fund which the proceeding had disclosed.

Mr. Streeter replied that the New Hampshire statute placed the assessment of costs entirely at the discretion of the court, and he insisted that in the event that any of the costs be charged to his side the order be directed against the trustees of Mrs. Eddy's estate and not against Mrs. Eddy; and at the time many were of the opinion that if the court ordered that the trustees might come in and be heard on the question of costs, vigorous opposition would not be offered by Mrs. Eddy's counsel to payment of part thereof, such for instance as the Masters' fees.

The court allowed the trustees to come in and be heard; set until October 10 for filing of briefs by "next friends," and until October 15 for the filing of briefs by the defendants, and named the latter date for hearing of arguments.

October 15 the hearing was postponed by mutual consent until November 12, when the court filed an order, the substance of which was:

1. That by consent the trustees pay the Masters' fees, but as an offset to this said trustees have a judgment against "next friends" for $3000.

2. The defendants in the suit have judgment against "next friends" for their costs.

3. The regular court costs are taxed up against "next friends."

# BOOK IV

## INCLUDING OPINIONS OF ALIENISTS AND NEWSPAPER INTERVIEWS

# Book IV

## CLUDING OPINIONS OF ALIENISTS AND NEWSPAPER INTERVIEWS

### DR. A. AN McLANE HAMILTON'S REPORT

DU NG the progress of the case it had been ght advisable by Mr. Streeter, counsel for . Eddy, that an expert alienist, whose honesty, reputation, and competency could not be questioned, should make a thorough study of the case and be prepared to pass judgment thereupon if it became necessary. It was thought advisable that this alienist should be the very best w this country affords, in order to make the testimony as as possible according to the justification which he d, and to this end Dr. Allan McLane Hamilton en. Doctor Hamilton had formerly testified istian Science in a New York case, but his d veracity are of such sterling nature that it was believed by Mr. Streeter and the Christian Scientists whom he consulted that the Doctor's disbelief in some of the teachings of Christian Science would not in any way interfere with his making a just and fair estimate of Mrs. Eddy's condition. Doctor Hamilton visited Mrs. Eddy and decided to submit his findings for publication.

Dr. Allan McLane Hamilton has had probably the largest experience in court of any alienist in this country, having commenced his career about thirty-five years ago. He has appeared in all the important cases in his own State of New York, both civil and criminal. He was selected by the United States as one of the special commissioners to determine the insanity of Snider in the District of

Columbia; was one of the four chief experts in the Guiteau case, and was also consulted in the case of Czolgolsz, the assassin of President McKinley. He has the distinction of being the only expert in the Thaw case who expressed an absolute and unqualified opinion about Thaw's mental condition, which was subsequently adopted by both the defence and prosecution, but he was not allowed to testify by either, although he impressed the entire country by his independent stand. Doctor Hamilton is also known as an advocate for complete reform in the matter of expert testimony, and is generally regarded as one of the few impartial experts who can be relied upon to give honest testimony and who cannot be diverted from making a report in conformity with his honest convictions; for this reason he is respected by the courts and by reputable lawyers generally.

Doctor Hamilton is fifty-eight years old, and is a grandson of Alexander Hamilton, and, on his mother's side, of Louis McLane, who was minister to England and secretary of the treasury under Martin Van Buren and Andrew Jackson. Doctor Hamilton has written much and is prominently connected with many medical societies both here and abroad, and a few years ago received the great honor of being elected a Fellow of the Royal Society of Edinburgh. He founded the Psychiatrical Society and is regarded as an advanced student of mental disease.

After the proceedings had been abandoned the following interesting statement was given out by Doctor Hamilton, who was interviewed by a number of the newspaper reporters in attendance at the trial:

I have informed myself in regard to the mental condition of Mrs. Mary Baker G. Eddy, and for this purpose have examined a large number of documents and letters, perhaps one hundred in all, and have examined her at her home, Pleasant View, in this city. I have also read the original bill filed by her "next friends," George W. Glover, *et als.*, and the affidavits presented by them in support of their contention that she is an incompetent. It will appear

from the complaint of these people that she is " incapable of so understanding her property rights as to be unable to exercise her free and unbiased will with respect to the same, or to manage her affairs and protect her property with prudence and discretion against the undue influence, control, and fraud of others, and to take charge of and manage the present legal proceedings."

The inspection and examination of autographic letters written by her show inherent evidences of mental vigor. Her mode of expression is logical and connected. Her construction is admirable, and these as well as the typewritten communications emanating from her are the products of an unusually intelligent mind. Not only are their contents responsive, but they show concentration and the exercise of a normal memory. In several of them there are interlineations, corrections, and additions, which convey more fully what she has already said. In her letters to her counsel, which I have read with some care, I find that she has returned to him certain ones with explanatory interlineations, and there has been a promptness and vigor in her replies to his own letters. The handwriting itself is remarkably firm for a person of her age, and there are no mistakes; neither are there omissions. Her words are well formed, and although there is a slight tremor, not uncommon in old people, and possibly because her mind travels faster than her pen, I do not regard this in any way as pathological.

From the large number of letters appended which I have read, there is no mental defect indicated. In those written to Mr. Farlow there is a keen anxiety regarding her copyright, a desire to avoid the violation of the copyright laws, an appreciation of what has been done for her by him, certain directions in regard to the preparation of the literature of the church, and other matters connected with her daily life and her position as the head of the church. I find in the letters addressed to Mr. McLellan the same kind of intellectual good order, and in fact there is nowhere the remotest suggestion of mental feebleness.

My particular interest is with the papers written by her in the period beginning March, 1906, and extending down almost to the present time. These papers, which I understand have been prepared or drafted by her, indicate, either alone or together, a good deal of intellectual strength and consistency, and in this connection I will draw attention to the draft of a trust deed prepared in March, 1906, and another in February, 1907, one of which was the basis for the establishment of a trust for the benefit of George W. Glover and his family.

I have also read the instructions conveyed in the letter of February 12, 1907, which were sent enclosed in a letter written by Mrs. Eddy to her personal counsel, Mr. Streeter, and which led to an extended correspondence. All these things prove that she possessed a continuity of intention and much deliberation, which is, of course, antagonistic to anything impulsive; that she had good and sufficient reasons in the preparation of this trust deed; that there was tenacious purpose in continuing to elaborate and carry out her original idea of providing for her next of kin and in advancing the interests of the Christian Science Church. She showed an ability to direct and criticise others, as to her affairs, and in everything a normal amount of will power, which was exercised in the proper direction. She had the capacity to appreciate details, to correct mistakes, and to see that others were put right, which implied a power of attention that would not exist in an individual of weak mind. She possessed a perfect knowledge of her surroundings and the duties and obligations of those who were serving her.

My visit to her house was made on the afternoon of August 12, at two o'clock. I found her to be an elderly woman of delicate frame, and evidently somewhat affected by the heat. There was, however, no visible indication of any motor symptoms of insanity or nervous disease. Her expression was intelligent and in consonance with what she said and did. She was dignified, though cordial, and possessed a certain sense of humor which led her to perpetrate

a joke about the so-called "next friends," to whom she referred as "nexters." There was no tremor, no affectation of speech — I found nothing the matter with her. She fully understood the nature and object of my visit, and was willing to answer my questions. In doing so she did not manifest any excess of feeling, but responded quickly and intelligently in every instance.

The interview was opened by her disavowal of any prejudice against physicians. In fact she said that her cousin was a regular doctor who had became a homœopath, and that her father had believed he was getting crazy because he had adopted this method of practice; but that he, however, had taken care of Mrs. Eddy, who had gotten better, and then she herself commenced a series of experiments, gradually giving more and more feeble medicines, until she gave those with no potency whatever, but her patients got well just the same. She then referred to her exposures of spiritualism, which for a time she became interested in. She said that she had afterwards investigated various religions, at different times criticising the older ministers, and finally adopted the idea that infinite love and salvation were universal; in other words, that she adopted her present faith and that it was the evolution from her earlier experiences.

She referred to the fact that she had done and was performing an enormous amount of work, which I knew to be true. She said that she had no doubt she was going to win in this matter; that her followers had done much to help her, and that she would like to have me on her side. In answer to questions about her affairs, she said that she had put her property into the hands of three trustees, Henry M. Baker, Archibald McLellan, and Mr. Fernald of Concord; that she did this because it was in conformity with her faith, and that no man could serve two masters, God and mammon. She said that she would do this to see that her money would eventually go where she wanted it to go, that is, to the church she had established. She declared that the trustees of the deed were

Mr. Baker, Mr. McLellan, and Mr. Fernald; that she had chosen Mr. Baker because he was a good and successful man and to be trusted, and that the others would dispose of her money conscientiously.

She stated that she had taken care of her son, built him a house and furnished it from top to bottom, and had done everything for him; that in February last she had put money in trust for him, and that she had made a trust of one hundred and twenty-five thousand dollars and put it in the hands of "that honest man [pointing to Mr. Streeter] and two others." She referred to the fact that many years before, when her husband died, she asked her son to come home, saying, "You are all I have; come and stay with mother, and I will let you have all my property, all my real estate. Here is a home up here, and mother waiting for you, if you will come and live with me." But he refused. She referred to the condition in her trust deed that George Washington Glover and Andrew Jackson were to have different forms of education.

From my knowledge of the case and a careful study of all the letters and documents submitted to me, and from my examination of Mrs. Eddy, I am firmly of the opinion that she is competent to take care of herself and manage her affairs, and that she is not coerced in any way. In fact it would appear as if she takes the initiative upon all occasions. The allegations concerning Mrs. Eddy's belief in "malicious animal magnetism" are ridiculous. I am convinced that the words are only used synonymously with "malign influence," "malignant" or "mendacious animal magnetism" and is therefore a *façon parler*, as the French say. She certainly has been subject to sufficient annoyance to entertain the fear that she is to be subjected to further disturbance. False reports that she was dead are among these, and her home has been broken into and valuable documents have disappeared. That she has delusions regarding her son is an absurdity, for only a few days before he brought the suit to have her declared incompetent, she had without suggestion made the trust

deed to have him and his family provided for. Mrs. Eddy has no insane delusions, and in print and elsewhere simply enunciates the conventional part of her creed which she and eight hundred thousand believe in. No matter how improbable or unacceptable it may prove to be to the community generally, it is no more remarkable than others that have been before or that exist to-day, and her alleged delusion regarding mesmerism, the non-existence of matter, and the power of healing, form an integral part of very many religious beliefs.

When asked, she said her property was mostly in bonds; she said that she could not be tempted to invest in stocks, not even in preferred stocks, and that upon one occasion she had taken the advice of one of her students and had lost ten thousand dollars, and that she has never bought stocks since. When asked if she had been interested in mining stocks, she said, "No, I despise mining stocks." When asked, "Has any one ever tried to make you buy mining stocks?" she replied, "Yes, indeed." When asked who, she replied, "My son." She said that when she bought stocks she always picked out just those she wanted, government or municipal bonds, and that when she selected any, she had a book which she consulted in regard to the population of the chief cities, and that she would find out what the population was before she would take any interest in them, because it was safe to know if the community was responsible. When asked if it made any difference about the size of the cities, she said, "Yes, I found it did," and that she always formed an estimate of their wealth.

Throughout the entire conversation she showed no evidence whatever of any mental disease. She did not manifest any delusions, which she probably would have done had she been a paranoiac, as it has been asserted she was, nor did she once refer to malicious animal magnetism, which I understand was alleged to be an evidence of her state of mind. In person she was neat and clean, I am informed is most careful about the condition of her house,

LEWIS C. STRANG, BOSTON

(Associate Secretary to Mrs. Eddy) (Biographical Sketch, page 360)

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## ADDITIONAL REPORT BY DR. HAMILTON

ON his return to New York from Concord, Doctor Hamilton was asked by the "New York Times" for a statement of his views on Mrs. Eddy, and in reply gave out the following:

"There really is no mystery about Mrs. Mary Baker G. Eddy. Her case is a perfectly simple one, and the sensational stories which have been disseminated about her have no foundation in fact — although they can be very easily traced to a spirit of religious persecution that has at last quite overreached itself."

Dr. Allan McLane Hamilton, the expert alienist who has devoted the last month to an exhaustive investigation of the mental condition of the Founder of Christian Science and whose final testimony, given a few days ago, forms an important factor in the withdrawal of the suit against Mrs. Eddy, expresses himself as having no sympathy with the religious teachings of the latter, at the same time that he is emphatic in his belief as to her sanity. Seen yesterday in his picturesque study, forming a long rambling wing in the charming bungalow which he has built for himself amid the Berkshire Hills, one might, it is true, be tempted to take him for a follower of some of the mystic cults of antiquity, whose shadowy influence penetrates various transcendental fads of the day. At the threshold of his home sits a stone idol from India, while in various niches of the room, interspersed with long rows of learned books, are curious relics from Eastern temples, culminating in an ancient statue of the inscrutable Buddha himself. But in spite of these rather suggestive surroundings, mysticism plays no part in the intellectual equipment of the medical expert who has figured in so many famous cases during the last thirty-five years.

"I studied Mrs. Eddy without regard to the peculiar religious system with which she is identified," he said in ex-

planation of the work he has just completed in Concord, " and viewing her in this way, simply as a woman, I have come to the conclusion, as stated in my official report of the case, that she is absolutely normal and possessed of a remarkably clear intellect."

Doctor Hamilton was reminded that other investigators had reached quite a different conclusion regarding Mrs. Eddy, conspicuously the delegation of reporters who interviewed her some months ago in her Concord home and who gathered the impression on that occasion that she was mentally dependent on certain members of her household.

" One journalistic inquisitor," he replied, with a suggestive twinkle of the eye, " is frequently enough to perturb an ordinarily sane person. What can you expect, therefore, when an army of them is suddenly let loose upon you? The placidity of the Buddha yonder might be ruffled by such an invasion — and I am not at all surprised that a lady eighty-six years old was agitated, to say the least, by the ordeal!

" When I met Mrs. Eddy a few weeks ago I had quite a different experience from that reported by many of her interviewers. Remember, I had the experience of the newspaper reporters in my mind and I was thus naturally on the lookout for any evidence of the mental weakness in her which they claimed to have discovered.

" I found Mrs. Eddy, on the occasion to which I allude, seated in a comfortable armchair in her study, a large back room on the second floor of her house. She was simply attired in a dark dress and light sacque, relieved by a simple ornament, a diamond brooch. Her white hair was worn in the style made familiar by her pictures. Her face was thin, as was her body. I was immediately impressed with the extraordinary intelligence shown in her eyes. In aged persons the eyes are apt to appear dimmed, contracted, and lacking in expression. With Mrs. Eddy, however, they are large, dark, and at times almost luminous in appearance.

" As she talked to me, or answered my questions, the play of expression on her features evinced unusual intel-

ligence, and was in strict keeping with what she said. Her whole bearing was dignified and reserved, in perfect accord with what one would expect in a woman of education and refinement.

"The day upon which my interview took place was, unhappily for us both, the very hottest of the season. Hence my visit was not prolonged beyond the limit of about half an hour.

"As for our conversation, it covered a wide range of topics. Mrs. Eddy knew, of course, the purpose of my visit, and she very amiably answered all my questions bearing on her mental condition. In her turn she told me about her religious beliefs, giving me a sort of general summary of the Christian Science faith. It was a kindly talk throughout, and my venerable hostess manifested no ill feeling against any of the 'next friends' (to whom she jokingly alluded as 'nexters') who were attacking her in the courts, although she did appear to be hurt by the fact that the granddaughter who was associated in the proceedings against her was nevertheless a member of The Christian Science Church.

"For obvious reasons, arising from the nature of the suit that was brought against her, our conversation dealt largely with business matters in which she was personally interested. On these subjects she showed great shrewdness and a knowledge evidently gained from long experience. Thus, she talked readily about various investments she had made, assuring me, among other things, that nowadays she never buys stocks, because she had once lost the sum of ten thousand dollars through a stock transaction into which she entered at the suggestion of one of her students. But she has a liking for the purchase of bonds — preferably municipal bonds — and to help her in this direction she said that she was in the habit of consulting a little book of hers which furnished her with statistics as to population, real estate values, and other data from the various cities which offered a field for the investment of her capital. As to future investments, she told me that she expected to leave

all such operations in the hands of the trustees whom she had appointed to take this burden from her shoulders.

" I must confess that I approached this conference with Mrs. Eddy in a decidedly prejudiced state of mind. I had read the current abuse of her that one finds in the magazines and newspapers, and from this reading had become imbued with a distinctly adverse feeling toward Christian Science and its chief exponent. But when I saw and talked with the latter, and read and analyzed her correspondence, I experienced a complete revulsion of feeling, and this to such an extent that I have now become candidly of the opinion that Mrs. Eddy is not only sincere in all she says and does, but I believe also, that she unselfishly spends her money for the perpetuation of a church which, in her estimation, is destined to play an important part in the betterment of humanity — nor have I found that she is guilty of any extravagant indulgences such as one might look for were her motives less pure.

" In regard to Mrs. Eddy's daily life, the position which she occupies in her own household, there have, of course, been many conflicting rumors, all tending to depreciate her own individuality and variously describing her as a nonentity, a dummy in the hands of others. My investigations, extending over a month in Concord, have convinced me that the real truth is quite the reverse of these rumors. As a matter of fact, Mrs. Eddy's personality is an exceedingly strong one, and she has succeeded in impressing it on all around her.

" Mrs. Eddy lives in a very simple, unpretentious frame house, with a somewhat showy Francis I. tower, in the environs of Concord on the road to St. Paul's School. The grounds, consisting of eight or ten acres, are situated on the crest of a hill overlooking an exquisite landscape, and have been attractively laid out, under her direction. The interior furnishings of the house are costly, but simple and in good taste. The room in which I talked with her was such as one would expect to find, with its carefully selected books and paintings and prettily arranged flowers, presided

over by a woman of her dignity and refinement. She herself, I discovered, far from being a mere visionary, is an excellent housekeeper, taking the keenest interest in the disposition of all her affairs and belongings. She is accustomed to give minute directions about all the details of her household. She selects the food for her table; she supervises the work of her retainers. In her study she has a separate set of signals, numbering seven or eight, for each person who lives with her. All of these people are absolutely devoted to her, and she seems to exert a marked influence over them. The idea that this strong-minded woman is ever a victim of coercion is manifestly absurd.

" Her own daily life is run on a thoroughly systematized set of rules. At six o'clock she is up and attending to her household affairs, after which she dictates to her stenographer or writes with her own hand. Every day she takes a drive in a closed carriage, accompanied by one of her household, who sits on the box with the driver.

" In her ordinary conversation she is witty, a bit satirical, but with a great deal of gentleness in her demeanor to those around her. In the town where she lives she has spent a large amount of money in municipal improvements and for the beautifying of the church which was dedicated a short time ago.

" Mrs. Eddy has led, and still leads, a secluded life; but that is in accordance with the religious belief which she has adopted. For a woman of her age I do not hesitate to say that she is physically and mentally phenomenal. In the matter of her longevity some Christian Scientists have gone so far as to assert that she will never die. She herself, however, does not hold to any such ridiculous belief, but refers frequently to the life after death as a state of existence to which she is liable. I fancy that the belief among some of her followers involving the indefinite continuance of her earthly life arises purely from the visible evidence of Mrs. Eddy's great vitality and the absence of any of the usual tokens of mental breakdown natural to one of her great age.

"There is certainly no sign as yet of the coming of this breakdown. Nor can Mrs. Eddy's religious teachings, strange and unreasonable though they may be, be advanced as a pathological evidence of mental debility. After all, her teachings are merely a culmination, a crystallization, of similar systems that have been cropping up during the last half-century under the leadership of such enthusiasts as Noyes, Cullis, Simpson, Boardman, and a score of others who, influenced by a certain phase of idealistic philosophy, have denied the reality of matter and disease. In this country every one is entitled to hold whatever religious belief he or she may choose; and this being so there seems to be a manifest injustice in taxing so excellent and capable a woman as Mrs. Eddy with any form of insanity."

LEWIS C. STRANG, BOSTON

(Associate Secretary to Mrs. Eddy) (Biographical Sketch, page 360)

## MRS. EDDY'S INTERVIEW WITH "THE BOSTON GLOBE"

ON June 15, 1907, Edwin J. Park, one of the very reliable and capable representatives of "The Boston Globe," called at Pleasant View and asked permission to see and talk with Mrs. Eddy, and his request was granted. In conversation with the author afterwards, Mr. Park said that he had been most graciously received by Mrs. Eddy in her private study, and that he was greatly impressed with her calm self-possession and wonderful poise. He said that he sat with her for forty minutes, and that during that time she talked easily, fluently, and most intelligently, that she shifted topics readily and discussed the pending suit without a shadow of bitterness, and charged the proceedings up to lack of understanding.

Mr. Park's interview appeared in full in "The Boston Globe" in the issue of June 16, 1907, and through the courtesy and kindness of "The Globe" we reproduce it:

At her beautiful home, Pleasant View, this afternoon, Mrs. Mary Baker G. Eddy, Discoverer and Founder of the Christian Science belief, for the first time in six years gave a real newspaper interview, and for forty minutes talked not only entertainingly, but with animation and keen intelligence on a number of subjects in which she is concerned.

When I make the statement that this was the first real interview Mrs. Eddy has given to a newspaper man in six years, I use the word "real" because I have in mind the 55-second meeting which about a dozen — eleven I think was the actual number — newspaper writers had with Mrs. Eddy at her home on the 30th of last October.

At that time Mrs. Eddy was in the presence of the reporters for less than a full minute, and only a few questions, three or four, as I now recall it, were asked of her.

The questions on that occasion were asked by a young woman who had been selected to perform that duty, and while Mrs. Eddy answered them readily, no opportunity was given any of the other writers present to propound any queries of their own or to hear her participate in a sustained conversation.

This afternoon I met Mrs. Eddy under far different and more satisfactory conditions. I was admitted to her study, and sitting in front of and close to her, I had for forty minutes an opportunity for uninterrupted conversation with the famous woman and for observation of her.

In the interests of strict accuracy I desire to state at this point that most of the talking was done by Mrs. Eddy, and that my rôle principally was that of a most interested and earnest listener. The principal part I took in the conversation was occasionally to propound a question. Mrs. Eddy talked fluently and incisively. At no time was she at a loss for a word or an idea in conveying her meaning to me.

Considering her age — she will be eighty-six years old the sixteenth day of July — Mrs. Eddy's memory for dates, names, and circumstances seemed to me to be marvellous. In fact her memory in that regard is far superior to mine, as I took occasion to tell her, and I am a great way from being eighty-six years of age.

It is not my purpose to write a brief for Mrs. Eddy nor in her behalf, but to relate with entire truthfulness and as much accuracy as possible what occurred between us at Pleasant View this afternoon. I am not an alienist, and my experience with women eighty-six years of age has been *nil*, but I do desire to say here that if the mental competency of Mrs. Eddy had not been called in question by the " next friends," and if I had met her and talked with her as I did this afternoon, the thought that she was not fully competent mentally would have been the last one that ever would have entered my mind.

Her brain is keen and active, and there never is a moment of hesitation in replying to a question nor delay in framing the phraseology in which she answers. The trend of her

thoughts remains unbroken, and her alert mind turns instantly from one line of suggested thought to another one put forward to take its place.

This afternoon I purposely diverted her mind from one line of thought concerning a question I had asked her in regard to her son, George W. Glover, by suddenly inquiring of her if she personally keeps an oversight of her household and its affairs, and she took up the new idea suggested to her and proceeded to talk upon it with not a moment's delay, her mind grasping the new subject, as dissimilar from the former one as I could think of, almost before I had the question formulated.

When I entered her study she was reading with the naked eyes a typewritten letter from J. R. Moseley of Macon, Georgia. It contained a message of sympathy and good cheer, and Mrs. Eddy was much pleased by it. She read the letter to me, and later she read to me a selection from her book, " Science and Health," printed in small type, as an answer to a question I had propounded to her. Still later, in my presence, she took a copy of " Science and Health," which she presented me, and wrote in it my name and " Compliments of the author, Mary Baker G. Eddy."

When she came to write my name she took my card in her left hand to make sure of the initial, and read the card without glasses, as she had the typewritten letter and the extract from the printed book.

I was received at Pleasant View about 1:57 o'clock by Mrs. Laura Sargent, Mrs. Eddy's companion. Mrs. Sargent showed me into the reception room at the easterly side of the hall, the room in which I had seen Mrs. Eddy last October, and in that room I met Archibald McLellan of Boston, one of the three trustees of Mrs. Eddy's estate. I chatted with Mr. McLellan about two minutes and then Mrs. Sargent came to the door and said Mrs. Eddy was ready to receive me. Mrs. Sargent showed me to Mrs. Eddy's study at the head of the stairs on the second floor, and I was introduced to Mrs. Eddy. Mrs. Sargent retired.

Mrs. Eddy was sitting in a large easy chair, in the south-

easterly corner of the large room, a writing desk at either side of her and a magnificent view of the Merrimack valley stretching away to the eastward. When I was presented, Mrs. Eddy arose and stepped forward about three or four feet to meet me, with her right hand outstretched in greeting.

Mrs. Eddy grasped my hand firmly and said:

"Mr. Park, I am very glad to see you. I am glad to welcome you here, for I am aware of the fairness with which you and 'The Boston Globe' have treated me."

Mrs. Eddy then stepped back to her own chair and motioning me to another easy chair directly in front of her, asked me to be seated. In the brief time the introduction and reception occupied I noticed that Mrs. Eddy, who had only just returned from her daily drive down to the city, was dressed in a black silk dress, with white lace about her throat and wrists, that her lace collar was caught at the throat with a diamond sunburst of great beauty and undoubted value, and that her pose was that of a distinctly self-contained and reliant woman.

When I entered her study Mrs. Eddy was reading a typewritten letter and she held it in her left hand as she rose to greet me. When she had made me welcome and had resumed her chair, she said:

"I was just reading a most cheering and comforting letter from Mr. Moseley. I will read it to you;" saying which she read me the letter rapidly and clearly. When she had laid the letter aside I remarked that I never had had the pleasure of meeting her personally before, and I said, "You do not appear in public much of late years, Mrs. Eddy. I am sure many people would be glad to see more of you."

"It is quite impossible to do so," she replied.

"Many have wondered that you do not," I ventured.

"The best reason why I do not appear more in public," responded Mrs. Eddy, as she reached out her left hand and took from the desk a well-worn copy of "Science and Health," "appears in this book. I will read it to you."

Then, without the aid of glasses and unhesitatingly, she

read the following from "Science and Health," which I found later, in the copy she gave me, to be printed on page 464:

> It has been said to the author, "The world is benefited by you, but I feel your influence without seeing you. Why do you not make yourself more widely known?" Could her friends know how little time the author has had in which to make herself outwardly known except through her laborious publications, and how much time and toil are still required to establish the stately operations of Christian Science, they would understand why she is so secluded. Others could not take her place, even if willing to do so. She therefore remains unseen patiently at her post, seeking no self-aggrandizement, but praying, watching, and working for the redemption of mankind.

When she had concluded reading this excerpt, Mrs. Eddy laid the copy of her book carefully back on the desk and said: "I shall be glad to present you with a copy of my book. Would you like it?"

I replied that I would, and Mrs. Eddy reached for a push button which hung conveniently at her right hand, and there was an answering ring, three times repeated, in another part of the house. Almost immediately Mrs. Sargent appeared in the doorway and said, "Yes, Mrs. Eddy."

"Please get a copy of 'Science and Health,' dear, for Mr. Park," said Mrs. Eddy, and Mrs. Sargent bowed and disappeared. She returned quickly with the copy of the book and Mrs. Eddy said, "Thank you, dear." Mrs. Sargent asked if there was anything else Mrs. Eddy wanted, and she replied, "No, dear," and then Mrs. Sargent retired.

"Dear," spoken in a kind, motherly way, appears to be a favorite expression with Mrs. Eddy. At a later time in the afternoon, when she had summoned the Bohemian housekeeper to the study, she called her "Dear," and several times when replying to questions I had asked her, she spoke to me similarly, saying, "Yes, dear," or, "No, dear."

Before I left her this afternoon Mrs. Eddy wrote my name and "Compliments of the author, Mary Baker G. Eddy," on the fly-leaf of the book she gave me. By or on behalf of the "next friends" the authority of Mrs. Eddy's

signature to several letters or other documents has been questioned. There can be no question as to her signature in my book. I saw her write it.

Mrs. Sargent having brought the copy of " Science and Health " which I was to be given, and having retired, I said to Mrs. Eddy:

" You know, of course, of the great interest which has been aroused by the ' next friends ' litigation. Won't you tell me something about it? And also something about your son, George W. Glover?"

" You mean the ' next friends ' alias ' next enemies,' do you not? " she replied, without a moment's hesitation and with a trace of a smile. Then she continued:

" I was unfortunately situated about the time of the birth of my son. My husband, Maj. George W. Glover, was in business at Charleston, South Carolina, where we had gone to live after our marriage. We had not been married quite a year when he went to Wilmington, North Carolina, on a business trip, and I went with him. At Wilmington he was attacked by yellow fever, and he died there after nine days.

" The people in Wilmington said that it was unprecedented for a man to live so long with yellow fever, and they attributed his withstanding the disease so long to the prayers of his wife. When my husband died, I was in a most distressing predicament, as I was left alone far from my friends. The people there told me that it would be months, perhaps years, before I could get all his affairs settled, and I desired to return to the home of my father at Sanbornton Bridge in this state.

" My husband had been a Mason, and the dear Masons of Wilmington were very kind to me. One of them was chosen to accompany me to my father's house, and he never left me until he had seen me safely inside the door. My son was born at my father's house, but my father married again, and it was not pleasant for me there. You know that old couplet, ' A mother 's a mother all the days of her life, but a father 's a father until he takes another wife.'

" When my son was eight years old I determined to leave my father's house to pursue my literary work, and I selected as the woman best calculated to care for the child, the wife of Simeon Cheney, who was formerly Mahala Sanborn, who had been our nurse and whom I knew to be a good girl, kind and tender, and who I knew would take good care of my boy.

" I was then able to earn $50 a week by my writings, and I had been offered $3000 a year to write for 'The Odd Fellows' Covenant,' as it was called in those days, published by the United States Lodge of the Odd Fellows. Later the name was changed to 'The Odd Fellows' Magazine.' "

Mrs. Eddy mentioned the names of the different men who were editors of the magazine, and at a point where she paused briefly I remarked:

" Your memory for names and dates is much better than mine."

Mrs. Eddy leaned forward and said earnestly:

" You could do it if you tried. It is all a question of the triumph of mind over matter. You could do it if you tried. I should love to have you for a student."

Continuing, Mrs. Eddy said:

" I was very busily engaged in my writings, but I never forgot my boy. He was a very smart boy, and the Cheneys grew very fond of him, and they wanted to keep him for their own. I sent them money for his education and support, and I wrote to him many times, but they kept my letters from him, and they told him his mother was dead.

" The result was that finally, believing me dead and not liking the way in which he was treated at the Cheneys, George ran away. I searched and searched for him, but never could find him, and for a long time I could get no trace of his whereabouts. Finally I heard through a letter from my relative, Mrs. Alexander Tilton, of Sanbornton Bridge, that my boy had enlisted in the army and had gone to the front. It was then too late to do anything.

" George went into the army when he was sixteen and

served four years, coming out when he was twenty, and then he went back to the West. I got in communication with him then, and wanted him to come to me, but he preferred the Black Hills. In 1899 I built and furnished him a house at Lead City, South Dakota, and it is a better house than the one I live in, and I have furnished him money from time to time."

At a pause in Mrs. Eddy's story concerning her son, I suddenly switched the conversation by saying:

"You have a very beautiful place here, Mrs. Eddy. Do you look after it and personally control your household?"

"No living person," she replied at once, with marked animation, "abridges my rights in this house or governs my actions."

Then I made another abrupt change in the line of thought by saying, "Mrs. Eddy, would you mind telling me what impelled you to place all your property in the hands of your three trustees at the time you did (March 6)?"

"Certainly not," she said, without the slightest hesitation.

"I had come to a place where I could not carry on my work of Christian Science and attend to my business affairs. Some nights I had lain awake considering my Christian Science work, and then the next day I would be occupied all day with my business affairs, and there had been long growing in my mind the understanding that I must give up one or the other. My mind was too much diverted by business cares to give the thought to Christian Science which that demanded, and finally, a week or a fortnight before I created the trust I called Laura Sargent into my room and I said, 'Laura, I am going to put my business out of my mind. I cannot go on being pulled one way and the other by material and spiritual matters.' I said: 'I am going with God.'

"No one but Laura Sargent knew of my decision until I sent for General Streeter and told him what I wanted done.

"I will tell you why I selected each of the trustees. I selected H. M. Baker because I knew he was a Baker and was honest. I knew him thoroughly, and knew that he was capable of managing my business.

"I took Archibald McLellan, the editor of my papers, for the next one, because I knew him and I could trust him.

"I took Josiah E. Fernald of Concord, who is president of a national bank and who is treasurer of the Old Ladies' Home, and is a man I knew personally, for the third one, and I do not believe I could have done better in making my selections. I picked them all out myself and for the reasons I have given you.

"By appointing them trustees of my estate, I was made safe in my property and was relieved of the burden of caring for my material interests.

"I was not only relieved of the burden of caring for my business, but I was also relieved of what I call the inconsistency of bearing the burden, for one cannot serve two masters, and I chose the spiritual. I went with God. I have shut out society; I have not time for it. I have things of more value to my life and to mankind to attend to."

"May I ask," I said to Mrs. Eddy, "if you are now at work on additional writings on Christian Science; if you are amplifying what you have already written?"

"Yes, constantly. I am writing and studying, reflecting all the time. I have dismissed material affairs from my mind wholly and am giving myself altogether to my work."

At this point, although having somewhat abruptly changed the subject of conversation in the same way once or twice before, I said to Mrs. Eddy:

"Mrs. Eddy, adverting again to the subject of your household, do you wish me to understand that you personally oversee the arrangements and operation of the establishment?"

Inadvertently I had dropped my voice quite low, and

SAMUEL J. FIELD.

(for Massachusetts Defendants)

Age 2611

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(Counsel for Massachusetts Defendants) (Biographical Sketch, page 361)

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Mrs. Eddy did not catch the question offhand. She leaned forward in her chair and said: "What, dear?"

I repeated the question, and she immediately reached for the push button, which was near her right hand, and I heard the bell ring.

"I will answer you in a few moments," she said, smiling.

Pending a response to the bell, — and the response was not long in coming, — Mrs. Eddy remarked, referring to the allegations of the "next friends" that she is not mentally competent, "I think I am *compos mentis,* but I may be mistaken." She smiled when she said this.

Then she said: "I look after the house in a general way, and I look after the whole place, too. Why, when they repaired the fountain out there (pointing to the lawn), a short time ago, the men watched my window about all the time to see if I was looking at them, and they found I was. They were very grateful to me for the words of praise I gave them."

When Mrs. Eddy had proceeded thus far there came a response to the call she had sent on the bell, and the response was Mrs. Eddy's housekeeper, a young woman who had been recommended to Mrs. Eddy by a Western Christian Scientist and who is greatly appreciated by Mrs. Eddy.

The housekeeper was plainly flustered at her unexpected summons before the head of the house, and so started in to apologize for her appearance, although there was nothing about it that required an apology. She was a neat, wholesome-looking young woman, in the attire in which she had been at her duties about the house.

"Never mind, dear, you are all right," said Mrs. Eddy, and that quieted the housekeeper somewhat.

Then, as an answer to my question as to whether she really concerns herself, personally, in the matter of looking after the household and the estate at Pleasant View, Mrs. Eddy held this colloquy with the housekeeper:

Mrs. Eddy: "Are you my housekeeper?"

"Yes, ma'am," affirmed the pleased and radiant girl, bowing and smiling.

"Do I go downstairs and look around every day and see that everything is running smoothly?" asked Mrs. Eddy.

"Yes, ma'am, you surely do," answered the housekeeper.

"Am I careful and observant?" said Mrs. Eddy.

"You surely are, ma'am."

"Have I arranged the furniture and shown just how I wanted it?" pursued Mrs. Eddy.

"Yes, ma'am, you 've told me just how everything is to be."

"That will be all, dear," concluded Mrs. Eddy, and the housekeeper bowed herself out.

"My household is very harmonious and very devoted to my interests," continued Mrs. Eddy after the housekeeper had gone. "Mr. Frye has been with me for twenty-five years, Mrs. Sargent for eighteen, and my cook for fifteen, and they are all most faithful."

As her last act in concluding the interview Mrs. Eddy wrote the inscription in the copy of "Science and Health" which she presented to me, and as I was leaving her study Mrs. Eddy, showing no signs of fatigue from the interview, which had lasted forty minutes, said:

"I am very glad to have seen you, Mr. Park."

## WILLIAM E. CURTIS INTERVIEWS MRS. EDDY

[With comments by "The Daily Patriot"]

IN the Chicago "Record-Herald" of last Thursday appeared an article on Mrs. Eddy from the pen of William E. Curtis, who in the earlier part of the month spent some days in Concord and in other sections of the state.

The display head under which the communication appeared, made plain the impression left upon this famous newspaper man by the woman who, heirs-at-law and interested lawyers are trying to have it appear, is unable to look after her private affairs and incompetent to manage her own estate, and are asking a court to appoint them, or some one or ones of their choosing, to take charge of her money and other property and manage it for her. This is how the headlines read: "Mrs. Eddy, marvel in mental activity" — "Vitality wonderful in woman of eighty-six years, who still seems in perfect health."

We do not intend to publish the Curtis letter in full; but a few extracts from it, coming from a man of broad experience, from a man of keen and discriminating intellect, from one who has spent his life in measuring the mental capabilities of men and women in high and low station, will be interesting reading, and will aid in removing any lingering doubts, if any there be, as to the injustice of this unwarrantable proceeding. Mr. Curtis says:

"There was no difficulty in securing an interview with Mrs. Eddy. As soon as Mr. Meehan, editor of 'The Concord Patriot,' notified her household, I received an invitation to call at Pleasant View at two o'clock, and he went with me. . . .

"As we entered her study, Mrs. Eddy arose from an easy chair in which she had been sitting beside a desk covered with correspondence and books and gave me a

hearty greeting. Her hand is thin and almost transparent. . . . The veins stand out boldly, making a mysterious map of blue lines. She was dressed simply in a white shirt-waist, trimmed with a good deal of lace, and a black skirt. A gauze scarf was thrown over her shoulders and a brooch of diamonds with delicate settings in the shape of a coronet was fastened at her neck. Her hair is abundant and perfectly white, and is dressed low on her forehead with graceful waves. . . . Her eyes are full, clear, and bright. Her grasp is quite strong and indicates considerable physical vitality. Indeed, I have never seen a woman eighty-six years of age with greater physical or mental vigor.

"As we stood for a few moments exchanging greetings, my companion slipped his hand under her arm. She drew away smiling and inquired:

"'Why do you take hold of my arm?'

"'To support you,' was the reply.

"'I need no support,' said Mrs. Eddy, rather humorously, 'but I think it is better that we all sit down.'

"She indicated a chair beside her table for me and another for my friend, and resumed her seat in a large easy-chair upholstered in red velvet, which she had been occupying before we came into the room. I watched her very closely — every motion that she made — because her physical and mental condition is now the subject of litigation; but during the interview, which lasted about twenty minutes, I did not see the slightest sign of the 'senile debility,' 'mental infirmity,' or 'physical incapacity' which has been alleged as the basis of a suit to deprive her of the care of her property."

And so it has been from the beginning — every one who has come to Concord impressed with the belief that there was some reason or justification for the lawsuit instituted by the so-called "next friends," and who has had opportunity to talk with this remarkable woman, has gone away with the well-defined conviction that among sane people Mrs. Eddy is one of the most sane, that among responsible

people she is one of the most responsible, and that among competent and successful business men and women she is one of the most competent and most successful.

In the face of the evidence adduced and the record of revealed facts standing out for all to see, and the absolute absence of any contradictory testimony of any kind or character produced by the plaintiffs after many months of effort, it is to be regretted that this persecution directed against the peace and quiet of an aged woman should be permitted to continue.

Mrs. Eddy has proven by her wonderful words and works a high conception of citizenship and womanhood, and in her life she has demonstrated the value of right doing by living up to these conceptions.

What man or woman in Concord or in New Hampshire or elsewhere, having respect for mental and moral endowments, accomplishment, womanhood and motherhood, can do otherwise than deplore, in a community like Concord, that a woman who has attained the ripe age of eighty-six years; that a woman who, by preaching and teaching the Gospel of "on earth peace, good will toward men," has won the respect and the acclaim of hundreds upon hundreds of thousands of well-thinking people throughout the world; that a woman who by patient, intelligent effort and becoming enterprise has acquired a fortune; that a woman who has given and is giving patriotically and liberally to every worthy undertaking, whose purse is ever open to every deserving unfortunate or honestly struggling person; that a woman who has founded a religion, the pivotal principle of which is the denial and destruction of sin and sickness and the substitution therefor and the inculcation of moral and civic virtue and physical health, — we say it is to be regretted that such a woman cannot be protected from the annoyance which meddlesome and malicious and covetous persons seek to heap upon her.

If Mrs. Eddy had not been provident, if she had not husbanded her resources, if she had grown great only in God's work, if she had only been poor, these patriots

would not know her; just as they did not know her when she was struggling with adversity.

Mr. Curtis' letter will be read by millions of Americans and will be believed by them, because his interpretation of conditions and of men and women in every part of the well-known and even but partially-known world, from frozen and sunny lands, peasant cots and kingly courts, has been true, — neither colored by personal interest nor shaded by desire to please nor intent to offend; and it was in this spirit of simple justice that he said, "Mrs. Eddy is very sane, very responsible, very competent."

## ARTHUR BRISBANE INTERVIEWS MRS. EDDY FOR "THE COSMOPOLITAN MAGAZINE"

[Published through consent and courtesy of Mrs. Eddy, Mr. Brisbane, and "The Cosmopolitan"]

WHERE there is a big effect, there is a big cause. When you see flame, lava, and dust coming up from the mouth of Vesuvius, you know there is power below the crater.

When you see millions savagely fighting in the name of one leader, or patiently submissive and gentle in the name of another, you know that there was power in those men.

When you see tens of thousands of modern, enlightened human beings absolutely devoted to the teachings of Mrs. Eddy, their leader, and beyond all question made happy and contented by her teachings, you know there is a cause underlying that wonderful effect.

Millions of people in this country will be interested in the personality of the very remarkable woman who founded Christian Science, and gathered together the great Christian Science following.

This article is written to describe an interview with Mrs. Eddy which took place in her house at Concord, New Hampshire, at about two o'clock in the afternoon of Saturday, June 8, 1907.

Carlyle would not forgive the old monk who talked to the mediæval English king on his travels and then failed to describe the king accurately and in detail. The first duty of a writer who sees a personality interesting to the world is to tell what he has seen, rather than what he thinks. For what one man has seen another would see, whereas one does not think what another thinks.

Mrs. Eddy's house is extremely simple and unpretentious, a plain little frame dwelling, situated rather close

to a country roadway on the side of a most beautiful New Hampshire valley. The view from her windows is across this valley to the blue hills. Behind those hills, a very few miles distant, is the spot where Mrs. Eddy was born.

Mrs. Eddy's thought has spread all around this world. It has found expression in heavy stone churches and great audiences from Maine to California, and across the oceans. This distant work her mind has done; her frail body dwells in peace and quiet in the simplest, most modest of homes, almost on the spot where her physical life began.

Around the frame dwelling runs a broad veranda. And above are balconies on which Mrs. Eddy sits or stands, looking down to the miniature lake dug with the contributions of men and women deeply grateful to her, or across the wide fields toward the city and the busy world to which she voluntarily said good-by long ago.

The house is furnished very plainly. In the room on the right of the entrance the chief ornament is a large illuminated hymnal presented by the Earl of Dunmore, one of Mrs. Eddy's British followers. In that room and in the room on the left of the entrance the furniture is extremely simple. There are a few pictures, and on one of the walls is a bas-relief of Mrs. Eddy in white marble.

These rooms downstairs are kept scrupulously neat. They are evidently used rarely. Mrs. Eddy occupies almost exclusively her living-rooms one flight above.

The home of the Christian Science leader has been called by writers of strong imagination "A House of Mystery."

As a matter of fact, the house is about as mysterious as the average little New England home. It could be reproduced, furniture and all, for a good deal less than ten thousand dollars. All the doors, downstairs and upstairs, are open. It is the very peaceful, quiet abode of a woman tenderly cared for by devoted persons, earnest followers of Mrs. Eddy's teachings. These Christian Science ladies, who greeted the writer at the top of a narrow flight of stairs, were not in any way different from ordinary

women, except that all three had very peaceful, happy expressions. Among three ordinary women, you usually find one or two whose expressions make you feel sorry for them.

These devoted friends of Mrs. Eddy were dressed very plainly, in light cotton gowns. And they seemed as deeply interested and excited about a visitor from the outside world as though they had been three eighteen-year-old schoolgirls watching the arrival of some other girl's brother.

One of them came forward to say: "Mrs. Eddy is very glad that you have come, and will see you. Please come into her sitting-room."

She led the way into a corner room at the rear of the house, with wide windows overlooking the valley and the distant hills.

Beside a writing-desk, in an armchair, sat a white-haired woman, who rose and walked forward, extending her hand in friendly greeting to a stranger. That was Mrs. Eddy, for whom many human beings in this world feel deepest reverence and affection, and concerning whom others have thought it necessary or excusable to write and to say unkind and untruthful things.

It is quite certain that nobody could see this beautiful and venerable woman and ever again speak of her except in terms of affectionate reverence and sympathy. There are hundreds of thousands of Christian Scientists who would make almost any sacrifice for the privilege of looking upon Mrs. Eddy's face. It is impossible now for her to see many, and it is therefore a duty to make at least an attempt to convey an idea of the impression created by her personality.

Mrs. Eddy is eighty-six years old. Her thick hair, snow-white, curls about her forehead and temples. She is of medium height and very slender. She probably weighs less than one hundred pounds. But her figure is straight as she rises and walks forward. The grasp of her thin hand is firm; the hand does not tremble.

It is hopeless to try to describe a face made very beautiful by age, deep thought, and many years' exercise of great power. The light blue eyes are strong and concentrated in expression. And the sight, as was soon proved, is that of a woman one half Mrs. Eddy's age.

Mrs. Eddy's face is almost entirely free from wrinkles; the skin is very clear; many a young woman would be proud to have it. The forehead is high and full, and the whole expression of the face combines benevolence with great strength of will. Mrs. Eddy has accumulated power in this world. She possesses it, she exercises it, and she knows it. But it is a gentle power, and it is possessed by a gentle, diffident, and modest woman.

Women will want to know what Mrs. Eddy wore. The writer regrets that he cannot tell. With some women you see the dress; with Mrs. Eddy you see only the face, the very earnest eyes, and the beautiful, quiet expression that only age and thought can give to a human face. She wore a white lace collar, no jewelry of any kind, and a very simple dress. That much is remembered.

In reporting this interview with Mrs. Eddy, it must be understood that no attempt is made to give her words exactly. Every statement attributed to her is her own, but the exact phraseology must not be considered hers. Christian Science and Christian Scientists have a language of their own, and any but a stenographic report of it might be misleading.

Mrs. Eddy talked first of her regret that the farmers about her, and so many others all over the country, should be disturbed and injured in their prospects and prosperity by the unseasonable spring weather. The sun happened to be shining brightly and warmly on the day of the interview. She spoke of this, of the beautiful view from her window, of the little boat-house, the tiny artificial lake, and other evidences of affection which she owes to her followers.

She spoke simply of her own life and work and of her absolute happiness in her peaceful surroundings. She

smiled pleasantly at the women who share her home, and who occasionally came to look through the door.

When she was asked to discuss the lawsuit affecting her, and other matters now in the public mind, she became very earnest, absolutely concentrated in expression, voice, and choice of words. She spoke sometimes leaning back in her chair, with her eyes turned upward, sometimes leaning forward, replying to questions with great intensity. She said to one of her friends, "Please close the door," and then talked fully on all the business matters that affect her. In addition to the writer of this article there was present General Streeter, Mrs. Eddy's principal attorney in her legal matters.

Asked why the lawsuit had been started, seeking to take away from her control of her money and of her actions, Mrs. Eddy replied in a deep, earnest voice that could easily have been heard all over the biggest of her churches:

"Greed of gold, young man. They are not interested in me, I am sorry to say, but in my money, and in the desire to control that. They say they want to help me. They never tried to help me when I was working hard years ago and when help would have been so welcome."

General Streeter, as counsel for Mrs. Eddy, wished the writer to ascertain, for himself positively, that Mrs. Eddy is thoroughly competent to understand business matters and to manage them. Therefore, detailed questions were asked with an insistence that in the case of a woman of Mrs. Eddy's age would be most unusual and unnecessary.

Mrs. Eddy's mind on all points brought out was perfectly clear, and her answers were instantaneous. She explained in detail how impossible it was for those about her, even if they wished to, to control her or her fortune, and her statements confirmed those which General Streeter had previously made to the writer.

She gave clearly and earnestly her reasons for executing a recent deed of trust by which she has voluntarily given over to three of her most trusted friends the management, so far as is possible, of her material affairs. She

explained the character of each of these men, Henry M. Baker, her cousin and a lawyer, Archibald McLellan, the editor of the "Christian Science Journal" and one of her most trusted assistants, and Josiah E. Fernald, of the National State Capital Bank in Concord.

In praising her cousin, a former congressman and at present a member of the legislature, Mrs. Eddy laughingly described him as a very good man "and as honest as any lawyer can be." She laughed more like a young girl than a woman of eighty-six as she said this, looking quizzically at her thoroughly trusted lawyer, General Streeter.

Mrs. Eddy said: "I have intrusted to these three men, so far as I possibly and properly can, the management of my material interests. My constant effort has been to give more and more of my time and thought to that which I consider really important. And I have given to these three men to do for me the worldly work which is of least importance in my eyes."

Mrs. Eddy started to speak of her son, who is made a factor in the legal action against her. She told how she had once asked him to live with her, saying: "I offered him all that I had except one five-thousand-dollar bond which I meant to reserve for myself. That was long ago, and he would not come to me then." She spoke of her son's entering the army, and the effect that the army life had had upon his character — he was only sixteen years old when he enlisted. There was motherly pride of the ordinary, human kind in her reference to the number of battles in which he had been honorably engaged. But she was obviously much affected by the fact that he had joined the legal action against her. Her eyes filled with tears, her voice became indistinct, and she could not go on. After a while she turned to General Streeter and said, trying to smile, "You know what they say, General, 'A mother is a mother all her life; a father is a father till he gets a new wife.'"

Mrs. Eddy's discussion of her business matters lasted for at least half an hour. There was no sign of weakness of

mind, voice, or body. The quality of Mrs. Eddy's voice is really extraordinary. The writer picked up a periodical, the "Christian Science Journal" for June, 1907, just issued, and asked Mrs. Eddy to read from it, having heard of the quality of her voice which had done so much in influencing her following long ago. It was the writer who selected at random the following extract from page 169, read aloud by Mrs. Eddy:

> The skeptical and unbelieving may shake their heads and ask with Nicodemus, "How can these things be?" But the sick who have been healed, the sorrowing who have been comforted, and the sinning who have been saved, can look up and answer in the words of Paul, "I know whom I have believed, and am persuaded that he is able to keep that which I have committed unto him against that day." As of old, it may be said that "the preaching of the cross is to them that perish foolishness; but unto us which are saved it is the power of God." When we remember that the teaching for so many centuries has been that the real individuality of man is material, and that he is dependent on matter for the gratification of his senses and even for the very sustenance of his life, we cannot wonder that so many hesitate to accept the teachings of Christian Science, since this Science demands the abandonment of all belief in materiality. It is, nevertheless, true that only as we lose our belief of life in matter, and our dependence on matter as a source of sustenance and satisfaction, are we enabled through Christian Science to grasp the true sense of Life, verifying again the words of Truth as spoken by Jesus, "He that loseth his life for my sake shall find it."

If any Christian Scientists have worried about Mrs. Eddy's health and strength, that reading would have ended the worry, could they have heard it. Among young public speakers there are few with voices stronger, deeper than the voice of Mrs. Eddy at eighty-six years of age. She read the ordinary magazine type without glasses, as readily as any woman of twenty-five could do, and with great power of expression and understanding.

In the course of the afternoon the writer had three separate talks with Mrs. Eddy. Once, after the first talk ended, and again a second time, Mrs. Eddy said that she had some other things to say.

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seek to disturb her years and her peace, Mrs. Eddy talked chiefly of Christian Science matters. She was much interested in the statement made publicly by a granddaughter of Henry Ward Beecher, who is now a Christian Science practitioner, that her grandfather if alive would be a Christian Scientist. The name of Beecher means of course a great deal to Mrs. Eddy, who was a young woman at the height of the great preacher's fame. She spoke of the work that he did to free the slaves and said, as though thinking aloud, " Yes, he would indeed work to free the spirit as he worked to free the body of the slave."

Mrs. Eddy gave the writer permission to publish a photograph of herself which has not before been seen. Upon this photograph, in the writer's presence, she wrote her own name. This she did at the writer's request, by way of furnishing visible proof of her good physical condition. There are certainly few women of eighty-six that look, talk, think or write with greater force and power than does Mrs. Eddy to-day.

As she said good-by to the writer, rising from her chair to hold his hand in both of hers, and to talk with pathetic simplicity and conviction of the good that the visit was to do him, she presented a very beautiful picture of venerable womanhood. Her face, so remarkably young, framed in the beautiful snow-white hair and supported by the delicate, frail, yet erect, body, seemed really the personification of that victory of spirit over matter to which her religion aspires.

Forty years ago, when Mrs. Eddy lived in a garret-like room and told what she believed to be the truth to a world that would not yet listen, stones were thrown through her windows. She spoke of this with sad patience and forgiveness.

To-day, when all the world knows her name, and when many thousands bless that name, Mrs. Eddy finds herself still with enemies eager and energetic against her. They do not throw stones through her windows — that was at the beginning of her teaching. With legal arts and ingenious

action they try to control her and the success that she has built up in spite of the early opposition.

The lawyers who oppose her will try to show that Mrs. Eddy is not fit, mentally or physically, to take care of herself or of her fortune, which is considerable. They will try to remove her from her present surroundings, and make her physically subject to the will of others appointed to control her. Success in this effort, in the opinion of the writer, would be shameful, a degradation to all womanhood and age.

Mrs. Eddy said in her interview, "Young man, I made my money with my pen, just as you do, and I have a right to it." Mrs. Eddy not only has a right to it, but she has the mind to control it.

Fortunately, Mrs. Eddy has in General Streeter not only one of the ablest lawyers in this country, but a man whose interest in her case is based upon chivalrous devotion and a determination to protect a woman from enemies disguised as "next friends." The effort of those that attack Mrs. Eddy will be to prove that she is unfit to care for herself.

It is to be wished for her sake and for the sake of her friends that the judge who tries her case could see her and talk with her. Perhaps that would not be according to conventional rule. But if the judge did see her, he would not tolerate the thought that "next friends" or far-off enemies should deprive her of her liberty or her fortune. He would realize that she is ideally happy in her simple home, that those about her feel for her a devotion and reverence that is absolutely inexpressible, that, so far from being the victim of designing individuals, she is absolute mistress in her own household.

Those who attack Mrs. Eddy legally, and perhaps sincerely, propose to show that she is "the victim of hallucinations." They will not show this unless American law shall decide that fixed religious belief is an hallucination.

The Turkish minister at Washington, if any court asked him, would say he firmly believes that Mohammed rode up

to see God on a galloway named Al Borak, that the intelligent Al Borak bucked and pranced until Mohammed promised him a seat in paradise, that Mohammed studied an interesting angel with seventy thousand heads, " in each head seventy thousand tongues, and each tongue uttered seventy thousand distinct voices at once." The same Turkish gentleman, or any other Mohammedan, would swear to his belief that Mohammed " arriving within two bowshots of the throne of God, perceived His face covered with seventy thousand veils," and also that " the hand of the Almighty was so cold that, when laid upon his back, it penetrated to the very marrow."

The Turkish minister might testify to these things without being adjudged insane. He has a right to believe in his religion. The ordinary American, not a Christian Scientist, believes that God has so arranged matters that great numbers of his children will be burned for ever and ever in hell fire. Mrs. Eddy believes God has so arranged matters that humanity can cure itself of imagined evils, and escape from all suffering, pain, and " error " through Christian Science teachings.

If the law would refuse to take away the liberty or the property of Christian people because they believe that millions of human beings have been damned from all eternity, it is hard to understand why that law should take away the liberty or the money of Mrs. Eddy because she chooses to believe that eventually nobody will be damned at all.

In substance, Mrs. Eddy's doctrines merely take literally this verse from the fourteenth chapter of John:

> Verily, verily, I say unto you, He that believeth on me, the works that I do shall he do also; and greater works than these shall he do; because I go unto my Father.

It is difficult to see why taking literally a statement which this nation as a whole endorses should be construed into an hallucination.

Mrs. Eddy's mind is clear, her health is good for a

ATTORNEY-GENERAL EDWIN [illegible] EASTMAN
(Personal Counsel for Mrs. Eddy)

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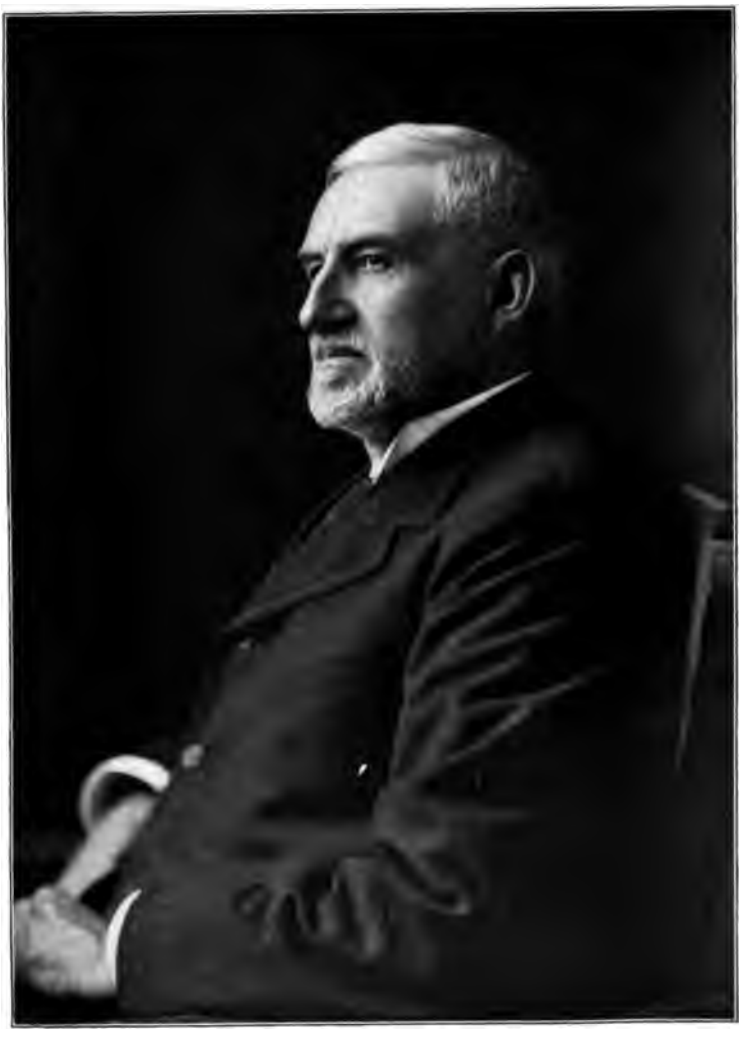

ATTORNEY-GENERAL EDWIN G. EASTMAN, EXETER

(Personal Counsel for Mrs. Eddy) (Biographical Sketch, page 364)

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woman of eighty-six, her will is strong. She is protected by a very able and absolutely honorable man in the person of her trusted lawyer, General Streeter. She is cared for in her home by women intensely devoted to her. She is able to manage her affairs as much as she may choose to do, and if she were not, no greater crime could be committed against her than to take her from the surroundings that she loves and the friends that make her happy. If the law should deprive this venerable lady of her fortune and her liberty, there is no reason why any woman past threescore and ten, and having accumulated some money, should not be similarly treated. Very few women of seventy have the business intelligence, power of will, and clearness of thought possessed by Mrs. Eddy at eighty-six.

The day after the interview, Mrs. Eddy sent to the writer with a friendly note her recent writings. These "Miscellaneous Writings" have been studied with interest by this writer, who is not a believer in Christian Science, but a believer in material science, in non-sectarian government, and in the absolute right of Christian Scientists to believe whatever they choose.

The preface of these miscellaneous writings, which indicate much thought, begins with this interesting quotation from one of the old Talmudic writers:

> The noblest charity is to prevent a man from accepting charity; and the best alms are to show and to enable a man to dispense with alms.

Mrs. Eddy says "this apothegm suits my sense of doing good."

Mrs. Eddy answers the question, "What do you think of marriage?" as follows:

> That it is often convenient, sometimes pleasant, and occasionally a love affair. Marriage is susceptible of many definitions. It sometimes presents the most wretched condition of human existence. To be normal, it must be a union of the affections that tends to lift mortals higher.

In sending the book Mrs. Eddy marked for the writer some verses by her on page 389. They are reprinted here, because a great number of men and women that love Mrs. Eddy and follow her teachings will like to see the words that evidently express Mrs. Eddy's feelings of consolation at this moment when, after a life that has given great happiness and comfort to many, she finds herself the object of an attack from which her years alone should suffice to protect her.

## THE MOTHER'S EVENING PRAYER

OH! gentle presence, peace and joy and power —
Oh! life divine, that owns each waiting hour,
Thou Love that guards the nestling's faltering flight,
Keep Thou my child on upward wing to-night.

Love is our refuge; only with mine eye
Can I behold the snare, the pit, the fall:
His habitation high is here, and nigh,
His arm encircles me, and mine, and all.

Oh! make me glad for every scalding tear,
For hope deferred, ingratitude, disdain!
Wait, and love more for every hate, and fear
No ill — since God is good, and loss is gain.

Beneath the shadow of His mighty wing,
In that sweet secret of the narrow way,
Seeking and finding, with the angels sing:
" Lo! I am with you alway " — watch and pray.

No snare, no fowler, pestilence or pain;
No night drops down upon the troubled breast,
When heaven's aftersmile earth's tear-drops gain,
And mother finds her home and far-off rest.

# BOOK V

## EDITORIALS FROM MANY NEWSPAPERS

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founder of Christian Science beyond the coupling of their names with groundless suspicions, that the Christian Science religion might be exploited and injured.

These editorials are worth preserving in attractive form, and the volume containing them should find a prominent place in the libraries of our country, that coming generations may learn therefrom what the temper of their ancestors was on questions of such grave import — questions involving the right to worship God after the dictates of one's own conscience; the right to enjoy peaceably laurels won in the highest service of mankind — a service calculated to free the minds of men from fear, their bodies from sickness, and to establish a standard of morals higher, nobler, and purer, by teaching men how to recognize truth and in that recognition to know that God is all, that God is near, and that He is a friend in time of trouble — a service calculated to impress mankind with the thought that Heaven is here and Heaven is now.

The preservation of the court record is important and signifies much, but courts are governed by law and precedent and in a way are independent of the people. The utterances of the press of the country are determined by popular impulse; they stand for fair play between man and man, and for the well-known and long-established rights of men and women, and are in quick and close touch with the people. Courts interpret the law; the press interprets the sentiment of the nation. For these reasons stress is laid upon this part of this volume.

"The Daily News," Pasadena, Cal.

The widely heralded attack on the leader of the Christian Scientists has collapsed. Insincere movements are peculiarly subject to sudden collapse. For a long time it was persistently rumored that Mrs. Eddy was dead and had been dead for years, and that she was being impersonated by another for the purpose of deceiving her followers and the general public.

When this very senseless piece of foolishness was exploded and it was proven conclusively to all fair-minded people that Mrs. Eddy not only lived but was in a remarkable state of preservation, alert, capable, and incisive mentally, and remarkably preserved physically, as was testified to by her bankers and numerous others who had abundant opportunity to judge of her capacity, the malice which had inspired these silly stories turned elsewhere for means to embarrass her and her very remarkable following. Unfriendly newspapers bent to the work with a will, circulating all manner of evil reports, none of which seems to have been authentic, as has since been abundantly shown. " McClure's Magazine " lent itself to the task and has been feeding its readers with fiction on the subject in serial form ever since. " McClure's " even presented what purported to be a picture of the revered Leader of the Christian Scientists, which was not a picture of Mrs. Eddy at all, but a spurious reproduction of the photograph of another woman, which was fully proven.

If there is any one thing that above all others is characteristic of Americans who permit themselves to do their own thinking, it is an inherent love of fair play. Here is a woman whose life is being spent in a search for spiritual truth. Leaving out of the question the truth or error of her reasoning and the conclusions drawn from it, its plain object is to relieve human suffering. Thousands on thousands of the most intelligent people of the highest possible character in every civilized land testify to its healing. They are honest in this belief, and if they have not been healed they have been deceived into a freedom from disease to which they gratefully testify.

Touching Mrs. Eddy's ability to manage her own business affairs, Dr. Allan McLane Hamilton, the most noted alienist in the country, and for years an opponent to Christian Science, personally and in court cases, after an examination into Mrs. Eddy's mental capacity, August 12, reports as follows:

"I found Mrs. Eddy to be an elderly woman of delicate constitution, but with no symptoms of insanity or nervous disease. Her expression was intelligent and in consonance with what she said and did. She was dignified, although cordial and possessed of a certain sense of humor which led her to perpetrate the joke about so-called 'next friends' whom she referred to as 'nexters.' She fully understood the nature and object of my visit and was ready and willing to answer my questions. In doing so she did not manifest any excess of feeling and responded quickly and intelligently to everything said."

The future of Christian Science rests on its ability to demonstrate its own way over the sufferings — mental and physical — for which it claims to be a curative agent, rather than over its enemies. The growth of the body known as the Christian Scientists is conceded to be one of the most remarkable developments of the time. The sincerity and intelligence of its membership, comprising men and women of every walk and condition in life, are also conceded by thinking people. There is no reason why they should be persecuted in a country where liberty of conscience and worship is a prime ideal. If human suffering — physical or mental — can be relieved through this agency, humanity needs it, and if not, there is nothing easier than to expose its vain pretension and fallacy. There is nothing secret about the religious services of these people. All have the privilege of attending, hearing the testimonies of healing face to face with the witnesses, and judging of the truth or falsity of their statements.

To intrude into the privacy of an American home for the purpose of annoying a woman eighty-six years of age, who seeks only peace and retirement and freedom from the slavery of suffering, proves that religious bigotry and the spirit of persecution as well as cupidity are still in full vigor.

Suffering men and women, to whom a belief is held out singularly in line with that held out by Christ, whereby

physical and mental suffering and slavery to sin were healed by one and the same Principle, will be slow to join in the persecution of those who are attracted by this doctrine. It is a doctrine which, if true, is incomparably magnificent in its possibilities. That the Christian Science practitioner does not invariably succeed proves nothing. *Materia medica* can stand no such test. That this new-old truth does heal even in cases of so-called "incurable" diseases, we have the testimony of scores of men and women of the highest character and intelligence.

If Christian Scientists are to be discredited in their effort to relieve suffering, physical and mental, it will have to be accomplished in some legitimate, honorable way. From the standpoint of orthodox Christianity even, the burden of proof is on those who contend that the healing power of divine Truth has been withdrawn from the world. It is also for the critics to establish that suffering rather than health, and despondency rather than hope are normal conditions.

These "next friends" have simply been used. The real attack has been against Christian Science. It has ignominiously failed of its purpose, reflected no credit whatever on its real originators, and has only strengthened the cause against which it was aimed. This remarkable movement will stand or fall on its merits.

EDITOR B. O. FLOWER IN "THE ARENA," JANUARY, 1907

During the week beginning October 28 of last year, "The New York World" published a series of sensational articles, accompanied in some cases by affidavits, which were well calculated to convey to casual readers the impression that the statements published were truthful and not reckless assertions or half-truths upon which wholly false and unjust inferences were based. These statements and inferences, later proved to be false and unwarranted by the facts, were seized upon by other sensational journals and scattered broadcast, carrying with them shameful untruths calculated to wrong innocent and

highly respected citizens. As this example of newspaper irresponsibility is a striking illustration of one of the two most evil and sinister phases of modern journalism, it calls for special notice, not merely because of the wrongs done to the innocent and the deliberate attempt to cast odium on the religious faith of hundreds of thousands of intelligent and conscientious citizens, but because the high and sacred function of the public press is such that the cause of civilization, freedom, and democracy cannot afford to have it degraded by reckless exhibitions of contempt for the rights and feelings of law-abiding citizens.

Excepting the public schools of America, the daily press is, I think, the greatest popular educator and the most powerful bulwark of free institutions. Indeed I hold that the hope of democracy for peaceful, evolutionary social advancement lies in a free and untrammelled press, and for this reason I have ever fought all reactionary attempts to curtail the freedom of the press, which might be so used as to thwart the onward march of science, social progress, and human enfranchisement.

But while all this is true, I would not minify the sacred obligation that is imposed on our press, to be resolute for the maintenance of justice, fairness, honesty, and truth, or the exercise of the same reverence for the rights of others that its editors would ask for themselves; and especially do I protest against attempts to scatter the poisoned seeds of slander and untruth that foster bigotry, intolerance, prejudice, and hate, or which work injustice to the innocent. The man who in the Far West is said to have flung a handful of thistle seeds to the wind little dreamed that in time they would be the means of filling the land with a plant that has become a pest from ocean to ocean. So with the poisoned seeds of falsehood and slander, especially where facts are so distorted that they appear to warrant wholly false inferences in such a manner as to injure others or a cause. The real facts may later come to light, but never can the wrong wrought be wholly undone. Thus it is the high and sacred duty of

all friends of justice and truth, and especially of friends of a free press, to insist that our journalism shall at all times reflect that fine conscientious sentiment that scorns to seek gain by traffic in falsehood and slander.

If democracy is to unfold and blossom in its full splendor, we must have a free and untrammelled press, but that press must recognize its august mission and the inescapable obligation and duty it owes the public, and it must be great by virtue of being just, conscience-guided, and truth-reflecting.

For this reason I protest against the reckless and unscrupulous journalism of which the case I am about to notice, though peculiarly flagrant, is nevertheless a typical example.

Then follow in "The Arena" article liberal extracts from the affidavits and statements of Concord men and women (published in full elsewhere in this volume) which successfully disprove the assertions in "The New York World," and in addition thereto, there follow some statements not published therein, such for instance as the following interview given by Mayor Corning of Concord to a reporter for "The Boston Herald":

"When Mrs. Eddy rose to greet me her carriage was erect, her walk that of a woman of forty. I can think of no more distinguished woman of her years in the world to-day; that was the impression she gave me, and it was the first time I had met her face to face.

"'You have a cozy corner here, I see, Mrs. Eddy,' said General Streeter.

"'Yes, and some people would like to see me in a closer corner,' remarked Mrs. Eddy quickly.

"I call that good repartee for a woman over eighty," continued Mayor Corning.

"She remembered local incidents and happenings of recent date, talked family matters with General Streeter, and to try her mind he asked her concerning the date of her donation of one thousand dollars annually to the State Fair. She remembered within a few days when the agree-

ment was drawn up two years ago. To say that she is mentally vigorous is inside the mark. She is wonderful for an octogenarian. Her face is not full, her figure is slight, but she looks commanding, her eyes are bright, her handclasp is firm. We talked with her for half an hour, and at the end of that time, when she rose to bid us good-by, Mrs. Eddy showed no signs of fatigue. I should certainly say she is capable of attending to her own business."

"The Arena" also publishes the following brief editorial that appeared at the time in "The Concord Daily Patriot."

"In substance the story of 'The World' is false from beginning to end, and the manner of telling it most vicious.

"The writer, the editor of this paper, talked with Mrs. Eddy in her home three years ago, he talked with her again in her home two years ago, and talked with her again in her private room much less than a year ago. He has seen her in her carriage and bowed to her, and has had his salutation returned many, many times within the last six months, and within as recently as four days ago.

"He knows Mrs. Eddy well; knows her face and form; would pick that face and form at a glance, from among the faces of millions, and he has not been imposed upon in any way by any substitute which, as 'The World' claims, has been riding in her carriage.

"At different times when he has had the pleasure of talking with Mrs. Eddy, there was no evidence of failing health or departing faculties, but on the contrary she showed a quick familiarity with current events and a wonderfully vivid recollection of happenings long passed as well as a surpassing skill in foreshadowing the future."

"THE PATRIOT," CONCORD, N. H.

The legal proceedings instituted six months ago by so-called "next friends" to test the sanity of Rev. Mary Baker G. Eddy, as well as her responsibility and capability

to manage her own affairs, is now a matter of history — it belongs to the past. In court, this morning, Mr. William Eaton Chandler, speaking for himself, his associates, and clients, withdrew from and dismissed the suit, thus openly confessing his and their inability to prove any of the charges alleged in the bill.

From its inception " The Patriot " has been firm in the conviction that the proceedings were without merit; that it was a trumped-up case.

In the instructions of Judge Chamberlin to the Master and Co-Masters, the commission was confined to the one issue of proving that Mrs. Eddy was not, on the first day of March, legally capable of managing her estate. In the progress of the trial, up to the time of its dismissal, there was not one word of testimony accepted or even offered that went to prove this.

A number of letters were read, dating as far back as 1890 and running up to within a short time of the commencement of the proceedings, letters written by Mrs. Eddy; but the letters only went to prove one thing, and that was Mrs. Eddy's absolute ability to manage her own affairs; her complete mastery of all things that touch her, and her superiority in all respects, in the management of her estate and of her religion, over others that shared with her in her labors. These letters went to prove her decisiveness, her keen knowledge of men and things, her integrity, her loyalty to her people and to her teachings; her disposition to deal fairly and honorably with her kindred, and at the same time, her refusal to let that kindred dictate to her.

Mrs. Eddy is a greater woman to-day than when that suit was commenced. Her high sense of equity and justice and her clear vision of duty are more firmly and thoroughly established. The Christian Science religion, instead of being checked by the proceedings, has been given a wonderful impetus because of the wide circulation given to the just and equitable and efficient manner in which Mrs. Eddy's private affairs, public affairs, and the affairs of her

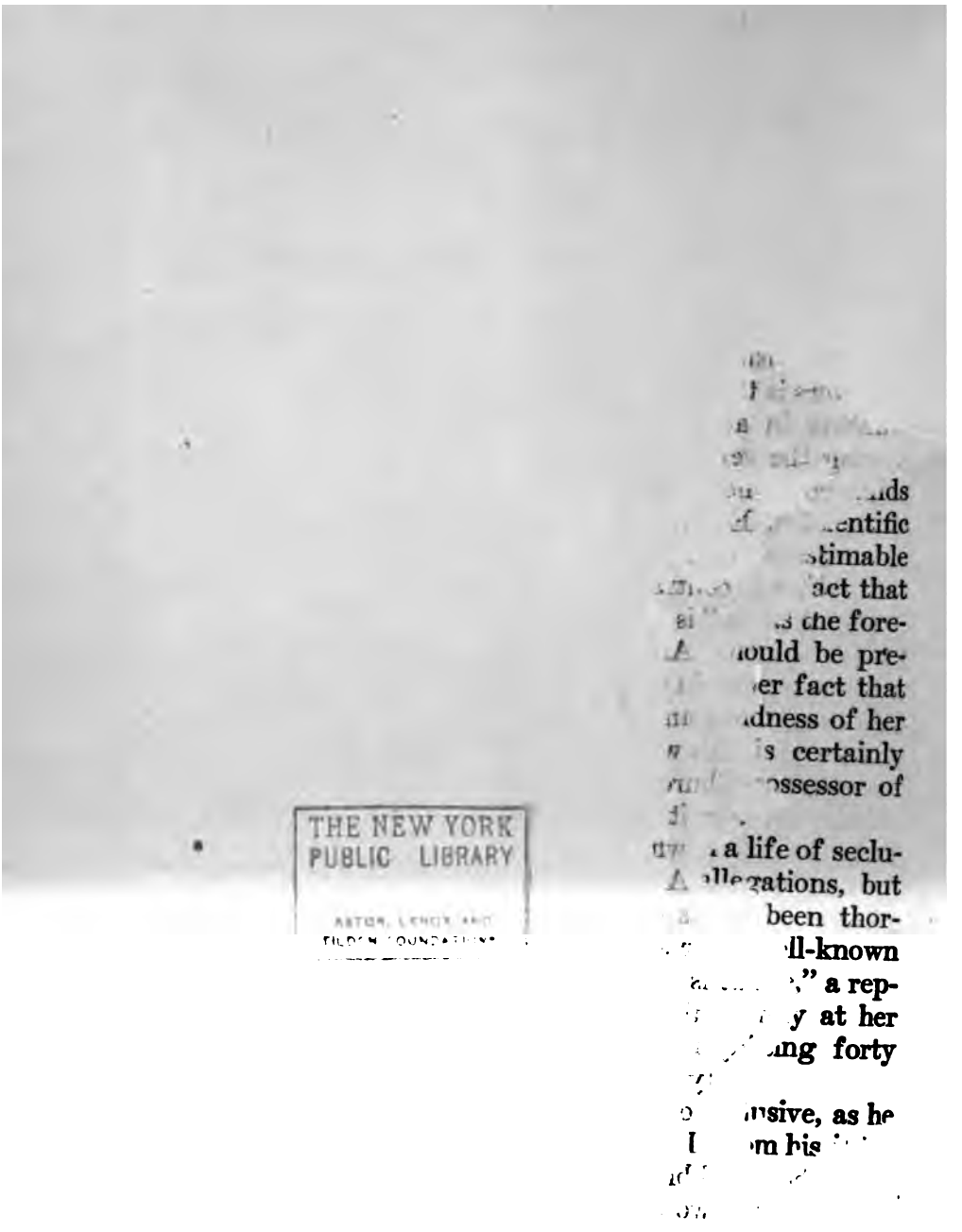
church have been administered. Instead of proving, as alleged, that the men and women who surrounded Mrs. Eddy, and on whom, doubtless, in many details she relied, were culpable, dishonest, or lacking in loyalty or integrity, the proceedings have amply proven and wonderfully demonstrated the faithfulness and loyalty of these men and women, proven their integrity, their honesty, their worth.

"THE HOME RULE," ABILENE, KAN.

The case brought against Mary Baker G. Eddy, which involves her liberty and property, by so-called "next friends," is a species of injustice under the forms of law that should arouse an indignant protest from the press and the people of this country. Here is a woman who has devoted her whole life to doing good for others. She has founded a church on what she and her followers believe to be the right interpretation of the Christian faith. She has spent a long life in writing, talking, and teaching the plan of salvation as given by our Saviour, as she understands it.

Whether her philosophy be perfect, better, or not so good as that taught by other Christian sects, it cannot be devoid of a great truth, else it could not have such a large and intelligent following. Not alone in this country, but in many other countries there are men and women who believe in the teachings of Mrs. Eddy. No one can claim for a moment that her teachings are immoral. Everybody concedes that her whole life has been one of peculiar devotion to what she thought was right. Mrs. Eddy is a publicist of world-wide reputation. There are a million of people, or more, in the United States who believe that she has accomplished more good than any woman who ever lived. While there are others who disagree with her philosophy, there is none but concede the purity of her motives, as well as her phenomenal ability in propagating and advocating her faith.

She has secluded herself from the world in a modest home, surrounded by those who love and revere her. It



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is the universal testimony of her neighbors and friends that she is an ideal citizen, who has consecrated her life to the betterment of her race. . . . As to the ability of Mrs. Eddy to take care of herself, testimony has already been given by some of the most eminent and upright people in this country who have recently visited and talked with her — men like Arthur Brisbane and Edwin J. Park. The devotion of her follow[illegible] the safest protection she could have, if she were wa[illegible]nything in this world. Many of them are [illegible]ry brightest and best people in the country. in t[illegible]uld not be deceived by designing persons imposing be hou[illegible]Eddy. They would act and act promptly if [illegible] need. Everybody must know this to be true.

[illegible]rast to the greed and malevolence of these Natural[illegible] the sweet, pure, and holy life of this ven- Christian S[illegible]nd we cannot help but think that there is American [illegible] the State of New Hampshire to protect daughter, [illegible]n against the machinations of her enemies. affairs, an[illegible]ve do not speak as a member of the Chris- erty and [illegible]ch. We are not a member of that organi- Interview[illegible] the purpose in what we have to say to Tribune," Mr. [illegible]atever in favor of that religious faith. Publicatio[illegible]merican citizen, in behalf of a good, pure ure at the [illegible] devoted her life for the good of others. announc[illegible] a protest against the wrong, against the surprise[illegible] being heaped upon this venerable woman

"All [illegible]e of the law.

Dixon, "[illegible]dy is entitled to her belief. This is a land of matter. It[illegible]y. She is entitled to the law's protection in [illegible]ol her ov[illegible]f her property — property she has earned with [illegible]f she is disturbed in her property or liberty it will b[illegible]lot on the administration of justice in New Hampshire; [illegible]rse than that, it will be an indictment of the civilization of the twentieth century.

"The Star-Journal," Pueblo, Col.

A vast deal of interest has been aroused throughout the country recently over the affairs of a noted woman,

who, merely because of the fact that she holds views not shared by the majority, and because in the course of a long and useful life she has managed to accumulate a considerable amount of property, from the care of which she has recently chosen to divest herself, has been alleged to be mentally incompetent; and relatives have sought and are now seeking, through the aid of the courts, to embitter her declining years by having her pronounced insane.

While it is not the purpose of this article to express an opinion regarding the soundness of the doctrine of Christian Science, nor to say how far, if at all, the belief finds warrant, either because of Biblical precept or scientific investigation, it is undoubtedly true that many estimable persons hold conscientiously to the belief, and the fact that Mrs. Mary Baker G. Eddy is regarded by these as the foremost living exponent of the cult, in itself should be presumptive evidence of her sanity, and the further fact that she has written clearly and, granting the soundness of her hypotheses, convincingly upon the subject, is certainly proof that far from being insane, she is the possessor of unusually alert mental faculties.

The fact that Mrs. Eddy has generally led a life of seclusion gave apparent plausibility to these allegations, but within the past few days such theories have been thoroughly exploded, in that Edwin J. Park, a well-known newspaper man on the staff of "The Boston Globe," a reputable and reliable newspaper, visited Mrs. Eddy at her home and obtained an interview from her lasting forty minutes.

Mr. Park's testimony must be taken as conclusive, as he is disinterested and fair, a keen observer, and from his journalistic experience admirably qualified to judge the mental qualifications of persons whom he meets, and he states unqualifiedly that Mrs. Eddy, so far from impressing him as mentally incapable, showed a remarkable degree of mentality, and, considering her advanced age, that it was truly wonderful.

He quotes a number of her statements, in fact gives a

general *résumé* of the entire conversation, and in it there seem to be none of the lapses of memory that even in normal cases are associated with great age, and the reasons that the distinguished woman gave for her actions were so sensible as entirely to preclude the assumption of even deteriorating mental powers, not to speak of insanity.

As stated above, this newspaper has no bias upon the subject of Mrs. Eddy's beliefs. She may be right or wrong, but whether she is right or wrong is entirely beside the question of her persecution, and, believing thoroughly in the spirit of fair play, it seems monstrous that she should be hounded as she is.

"THE TRIBUNE," LONDON, ENG.

Naturally there is considerable jubilation in the ranks of Christian Scientists at the victory of Mrs. Eddy in the American courts in a suit brought by her son, granddaughter, and nephew to secure an account of her financial affairs, an injunction against interference with her property and business, and the appointment of a receiver.

Interviewed yesterday by a representative of "The Tribune," Mr. Frederick Dixon, the Christian Science Publication Committee in England, expressed his pleasure at the verdict, but at the same time affirmed that its announcement had been to him in no way a cause of surprise.

"All Christian Scientists knew from the first," said Mr. Dixon, "that Mrs. Eddy would be triumphant in this matter. It was stated that she was not mentally fit to control her own affairs and estate. The wildest and most unscrupulous charges were circulated and it was freely stated that she was being robbed by her personal secretary, Calvin Frye.

"Upon this her accounts were immediately submitted to a firm of chartered accountants. These discovered that Calvin Frye had actually robbed himself of six hundred and seventy-seven dollars. His procedure seems to have been that, whenever faced by a difficulty in bookkeeping,

he disbursed money from his personal exchequer. It was generally agreed that, although an honest man, he was not a very ingenious accountant. So the wild charges of theft against Calvin Frye resulted in the discovery that he had indeed robbed himself and entailed the repayment to him of six hundred and seventy-seven dollars.

"Meanwhile Mrs. Eddy had been interviewed by journalists from all quarters — from Boston, New York, and Chicago. These gentlemen, as a result of their interviews, deluged the American press with proofs that Mrs. Eddy was not only perfectly sane, but also — as I know her to be — one of the acutest women in the world."

"But what do you suggest, Mr. Dixon, was the object that promoted the instigation of such charges?"

"Perhaps you had better hear Mrs. Eddy's own opinion as expressed to a well-known American journalist. Her words, as reported, were as follows: 'Greed of gold, young man. They are not interested in me, I am sorry to say, but in my money and in the desire to control that. They say they want to help me. They never tried to help me when I was working hard years ago, and when help would have been so welcome.'"

"And now, Mr. Dixon, what about the rather sensational story attributing to Mrs. Eddy the assumption of material immortality upon this earth?"

"The story, as you have probably heard it, is as absurd as many others of the same kind. This is what Mrs. Eddy says of the matter ['Unity of Good,' p. 55]: 'The achievement of this ultimatum of Science, complete triumph over death, requires time and immense spiritual growth. I have by no means spoken of myself. I *can* not speak of myself, as "sufficient for these things." I insist only upon the fact, as it exists in Divine Science, that man dies not, and on the words of the Master in support of this verity, — words which can never "pass away till all be fulfilled." Because of these profound reasons I urge Christians to have more faith in living than in dying.'"

"And what effect do you think all these wild charges

and stories have upon the growth of Christian Science, Mr. Dixon?"

"In a sense I suppose they do good. People become interested in them, investigate them, discover their shallowness and futility and malice, and finally turn to investigate Christian Science itself. In this way many persons learn of the great healing work which is daily going on, and without which Christian Science could never have attained its present and ever-growing dimensions."

"THE WOMAN'S NATIONAL DAILY," ST. LOUIS, MO.

If there is any record of the world's ever having received a new truth, or an old truth in a new form, without having stoned the one who gave it, that record is still to be dug up. If any person has sought to better the condition of his fellows and escaped the bitter attack of prejudice and malice, history does not mention it. Religious persecution, the most pitiless and malicious of all persecution, at least as practised in former days through torture and burning, is supposed to be a thing of the past, but an exhibition of such persecution, the more shameless and the less to be tolerated because apparently coupled with avarice, has recently held the attention of this land where every man's religious freedom is supposed to be guaranteed. In Concord, New Hampshire, lives the Rev. Mary Baker G. Eddy, whose life for forty years has been devoted to teaching the truth as she sees it, an uplifting, world-bettering form of truth which bears so many of the earmarks of the full truth that a multitude of her fellow men and women look upon her as almost a divine teacher. Whether we accept her teachings or not, yet we must admit that the rest of us various Christian sects have much to learn from the lives and examples of those who have. From my own personal observation (and I have had opportunity to make close and intimate observation) I have yet to see anything but good come to those who have sought to follow the world-old principles of truth, which form the basis of her new teachings. We may not accept many of the features of Chris-

tian Science, but we cannot gainsay its fundamental principles without at the same time taking the props from under the teachings of Christ himself. Sufficient for the purpose of this editorial, however, is the fact that this aged woman's life has been spent in bettering other lives, and the evidence of it is a vast and rapidly growing multitude of intelligent, thoughtful people who pay her reverence and who ask but to be permitted that tolerance which they gladly accord to the views and beliefs of others. One would suppose in this day and land Mrs. Eddy would be permitted to pass her remaining years in peace and the devotion of her followers, who are neither fools nor bigots. It seems, however, that with her teachings has also come wealth, which, if honestly got, is held to be no sin by her creed. I doubt if any sordid purpose could by any possibility be attributed to Mrs. Eddy in the holding of this wealth, but rather a wisdom in providing for the perpetuation of her life work, which would seem to commend itself. Mrs. Eddy's recent exploiting in the effort to gain possession of her wealth was so thinly disguised that she has gained much and lost nothing through it. Five hundred years from now, the recent attack on Christian Science may be a black chapter in the history of the world's progress. Personally, although I may differ from the followers of Mrs. Eddy, yet I would make a mock of my Master's teachings did I not feel the indignation which persecution must arouse in every right mind.

"THE REGISTER," NEW HAVEN, CONN.

A suit at law by the heirs, or "next friends," of Mrs. Mary Baker G. Eddy, head of the Christian Science Church, has developed to a point where its decision may have an important bearing on the future of the belief which she has originated, or at least developed. What New Hampshire law terms a "board of masters," substantially a commission to decide whether she is sane and able intelligently to conduct her affairs, or whether she is insane and incompetent to handle and dispose of her vast property, is now

in session at Concord, examining Mrs. Eddy and such other witnesses as may be required to answer the question.

The great majority of the believers in Christian Science, as must be admitted even by those who do not agree with them, are intelligent, earnest, and faithful people. Theirs is a belief which appeals to the reason, unreasonable as some of its teachings may seem. Believers such as this are not to be overthrown and turned to retreat by the decision of any court. Christian Science is not on trial, it is the duty of nobody to adjudge it true or false. This country rests, as one of its foundation stones, on the principle of freedom of religious belief. Those who believe in Christian Science have a right to that freedom. Again concerning them it is well to repeat those wise words, said of old of a religious belief which, though then despised and persecuted vastly more than Christian Science ever could be by its worst enemies, has spread its reign over all the earth: "Let them alone; for if this counsel or this work be of men, it will come to naught; but if it be of God, ye cannot overthrow it."

"THE DISPATCH," ST. PAUL, MINN.

After nearly six months of strenuous endeavor, the attack on Mrs. Eddy and the Christian Science faith has come to an end.

It is true, as General Streeter declared, that the plaintiffs' case has consisted wholly in an attack upon Mrs. Eddy's religious beliefs, with no evidence of delusions that would make her incapable of attending to her affairs or that she had been the victim of any conspiracy, as alleged. The only testimony to support the claim of delusions was in reference to her religious beliefs and teachings, questions on which men may honestly differ, and which courts in this country have no authority to decide. It was not established that the doctrines held up to scorn were given any practical application that was injurious to the rights of the plaintiffs or tended to impair the value of her property. As to the latter point, the result has been quite the contrary.

In short a religious controversy has been brought before the court and all good citizens should rejoice that it was pursued no further. This is a country of religious liberty, which can only be preserved when the government, in all its branches, refrains from meddling with religion. In that respect the case may be considered entirely apart from any one's opinion upon the merits of Christian Science. If one religious tenet, not repugnant to good morals, can be pronounced insanity by a civil court, any other may be inquired into and men may have their sanity doubted for faith in the Trinity, in Unity, in the efficacy of prayer, in one method of baptism as opposed to another, in the apostolic succession, or predestination and free will.

If the plaintiffs had been able to show that Mrs. Eddy was so mentally incapacitated that she had fallen under the domination of other minds, and that her property was thereby being alienated from her possession and control, as was alleged, a different sort of question would have been presented to the court and one of which it could take cognizance. But the proof did not follow the allegations.

"THE MONITOR," CONCORD, N. H.

"The World's" story, as we are told, is the result of long investigation in Concord by "The World's" representatives. If this is so, their time here was ill-spent, for no honest investigator could have stayed here even so short a time as a single day without learning from indisputable sources that Mrs. Eddy is alive — and very keenly alive — to all that takes place in the world, and that she is constantly alert and thoughtful to do good to everybody, especially to the city of Concord.

For more than fifteen years Mrs. Eddy has made her home among us; and she leads a simple and well-ordered life — as befits one who has a daily routine filled with great duties to a great cause. That she fulfils these duties to the last degree is evidenced by the growth and advance of the movement which she heads; and that she finds time for other good works, — for charity, for helpfulness, and for

public-spirited co-operation in the affairs of the community where her home is fixed, — thousands of Concord people are ready cheerfully to attest. And they have now come forward with glad alacrity to refute the falsehoods of " The New York World."

Some of these refutations we are publishing in our news columns to-day. To them we can add our personal testimony.

The editor of this paper has enjoyed the privilege of Mrs. Eddy's friendship for more than ten years. During that time he has met her frequently and has corresponded with her almost continuously.

Her conversation and her letters — numbering hundreds and written almost entirely with her own pen — are pulsating with but one desire, the desire to do good, — to do good to individuals, to communities, and to the human race. Within a very short time the editor of this paper has seen Mrs. Eddy and with her taken counsel upon public affairs in Concord. She was then in a strength of spirit, mind, and body far beyond what any one would have a right to expect from a woman of her age. Her words were direct and simple, her discernment acute and sympathetic, her manner cordial and unaffected. Since then the writer has met her carriage almost daily upon our streets and its distinguished occupant has never failed to return a smiling greeting of recognition. This has happened within four days, when, in a narrow street where recognition was certain, we met the real Mrs. Eddy, the Mrs. Eddy we have known for years, almost face to face. We knew her and we were known by her.

. . . . . .

When any one tells Concord that Mrs. Eddy is not one of our busiest, most helpful, and most beloved and respected citizens, in full possession of her illustrious faculties of mind and in bodily strength beyond what her years warrant, Concord has a prompt and impregnable answer:

" We all know better."

"Rocky Mountain News," Denver, Col.

The suit of the "next friends" to secure an accounting of the fortune of Mrs. Mary Baker G. Eddy, and to inquire into her sanity, was withdrawn yesterday [August 21] by the senior counsel for that side, former Senator William E. Chandler.

"The News" believes that this action will be a surprise to very few and a disappointment to still fewer. For ourselves we are frankly glad that Mrs. Eddy has come so well out of it and that the fortune she has amassed will remain under her own personal control. Not that "The News" is a Christian Science journal. Very far from it. We simply feel that Mrs. Eddy's public life has been one to entitle her to decent treatment, and that it was not decent treatment for her relatives, who had done absolutely nothing to help her in the work that has built up her fortune, to seek to prove her insane because she did not distribute it to their liking. And that, so far as we could see, was about the basis of the suit.

And the funniest part of all this proceeding was to attack Mrs. Eddy's business accounts for the purpose of proving her mental incompetence. If there is any point on which Mrs. Eddy is not only not insane, but is saner than the vast majority of us can ever hope to be, it is in the handling of her business. Mark Twain, who is by no means an unduly favorable judge, and who has won and lost several fortunes himself, soberly declares his belief that Mrs. Eddy has the best business head of any woman on earth; that her judgments are as near flawless as it is given human things to be.

And in the larger business of administration, of picking her assistants, of codifying her creed, of marking out a regimen for her church which should keep discipline without being repellant, Mrs. Eddy has shown herself one of the great minds of the day. The church which she founded a generation ago has now close to one million adherents, and these are for the most part among the most intelligent and

best educated of our population. . . . We doubt if the congregation which assembles every Sunday in the Christian Science church on Capitol Hill can be matched in combined weight of numbers and trained intelligence in any other church building in the city — and what is true of Denver is true of most of the cities of the United States. One may accept or reject the claims which the Christian Scientists make for their faith, but we feel that a church which can muster such a body of adherents is worth respectful consideration, and that the woman who could found and keep control of such a church does not need to be examined as to her sanity.

"THE JOURNAL," NEW YORK

"The New York World" continues its personal and vicious hounding of Mrs. Eddy, leader of the Christian Science religion.

The account which it publishes of recent events in Mrs. Eddy's home could reflect credit upon no newspaper and upon no man.

We note with some surprise that the two newspapers which have chiefly distinguished themselves by attacking Mrs. Eddy and her religion are "The World" and "The Times."

These newspapers are both owned by Jews, which, in our opinion, makes the attack all the more surprising. Jews have suffered outrageously and bravely for centuries on account of their religious belief. A Jew should be the last man to encourage, much less to begin, attacks upon the religion of another.

Jewish owners of newspapers that attack Mrs. Eddy or her religion are rendering poor service to the men of their own race who have not yet escaped to this country.

And we are able to say that such attacks by Jewish editors upon a religion do not represent at all the feeling of the people of Jewish blood in America. The Jews came to this country to escape from the very persecution, from

the false accusations that "The World" and "The Times" now make against Mrs. Eddy and her followers.

"DAILY TIMES," GLENS FALLS, N. Y.

The legal proceeding which has for its object the declaration that an individual is incompetent to manage his affairs and the appointment of a committee to act in his stead, take possession of his property, and have control of his personal affairs of all kinds, is of such a nature that it should be invoked only when absolutely necessary in the interest of the person alleged incompetent and the public. It is obvious that in this regard mistakes would be of far-reaching consequence and involve great loss and suffering. In the nature of things the person who starts such a proceeding should show himself free from ulterior motives, and it should be established that it is for the good of the person alleged to be incompetent that the proceeding is instituted.

As regards the proceeding against Mrs. Mary Baker G. Eddy, now being prosecuted by three so-called "next friends," it is not necessary that the tenets of Christian Science need to be discussed, for if it be true that belief in Christian Science is tantamount to insanity then we are forced to the conclusion that our asylums will not be large enough to take care of the large number of "Scientists," and that we will be required to build new asylums just in the proportion that new Christian Science churches are being erected in the principal cities and towns of the country. This proposition is too absurd to be discussed.

The fair-minded citizen will ask for Mrs. Eddy "the square deal," nothing more. Threshing out the belief of the Christian Science cult in New Hampshire courts in an effort to prove that the "discoverer" of "Christian Science" is not of sound mind, will not do. This savors too much of New England persecution and two centuries ago, when witches were burned at the stake and rocks rolled upon their ashes lest they should break from their graves and spread pestilence abroad.

"TIMES," DENVER, COL.

It is unfortunate that the suit instituted by the "next friends" of Mrs. Eddy was ever brought, and particularly that one of ex-Senator Chandler's standing should have conducted the case. However, it is possible that the charge that Mrs. Eddy was being kept virtually a prisoner by a few attendants may have been believed and that the suit was brought in good faith. It is as well, no doubt, to have the idea that she is being victimized dispelled. The withdrawal of the case would seem to be, as the Christian Scientists seem to interpret it, a confession that the suit was brought unadvisedly and that Mrs. Eddy needs no protection from a designing coterie. There has been a sordid aspect to the case which has impressed the onlooker most disagreeably.

Morally Mrs. Eddy's fortune belongs to the church which has been built up about the faith of which she is the recognized leader. . . . When it turns out that Mrs. Eddy has no other purpose than to give to the church the fortune which its organization has made possible, the effort to secure any other disposal of it appears utterly unwarranted. That the relatives will be provided for, Mrs. Eddy's lawyers assured the court, but under the circumstances the public will not feel over-solicitous on that subject.

There is something incongruous in the money side of religious activity of any sort, but as society is now organized it is a necessary incongruity. Mrs. Eddy's work has been criticised because of the large financial profits that have accrued to her and to the teachers under her. Nevertheless it is altogether probable that except for the masterly business methods employed the religious success of the movement would have been much less than it has been. The large fees for instruction have been a protection from dilettante discipleship and critical dabbling in the doctrine.

By keeping strictly to business principles beautiful churches have gone up all over the land without a debt

on any of them. On the same principle Mrs. Eddy's own fortune has become great largely through carefully protected copyrights and ample prices. But if nothing interferes with Mrs. Eddy's purpose the bulk of the fortune will go to endow the work which has built it up. This is as it should be and no legal legerdemain should be allowed to prevent this appropriate consummation.

"THE INTER-OCEAN," CHICAGO, ILL.

Whatever the motive behind the proceedings to establish the mental irresponsibility of Mrs. Mary Baker G. Eddy, discoverer and founder of Christian Science, it will occur to many people, regardless of their religious or medical training, as something contrary to the American idea of fair play, to say nothing of the American idea of gallantry, that a woman of her age should be subjected to the ordeal insisted upon by the legal representatives of the interests opposed to her.

But since this ordeal was insisted upon, and since it is to be continued, it must be a source of satisfaction to find that an American woman who has so long since passed the scriptural limit proves herself upon examination to be the equal, if not the superior, of these legal representatives in intellectual capacity and strength. That Mrs. Eddy is, in the highest sense, a remarkable woman was never more clearly established than in this inquiry.

In reality, the question as to whether Mrs. Eddy was or was not mentally sound last Wednesday has nothing whatever to do with the case. The only question is, Was she mentally sound March 1, last, when she appointed trustees to take charge of her fortune.

True, much that she talked about during the interview of Wednesday touched upon what the leading attorney for her "next friends" calls a "delusion" — *i. e.*, the delusion that God can heal the sick. But it will be impossible for the lawyers or the court to go very far into this phase of the matter without becoming inextricably involved in difficulty.

The lawyers and the court will probably let this phase of the matter pass. They will not be too insistent upon it, at least. And if they will let this pass and take Mrs. Eddy's statements for what they are worth, and measure them by the proper standard, leaving prejudice and bitterness out of the question, they will probably all be in agreement, mentally, at least, that she is intellectually correct.

"THE FREE PRESS," DETROIT, MICH.

The astonishing growth of Christian Science in the United States lends an interest to the investigation of Mrs. Eddy's sanity, which is now being conducted, that would not obtain in the case of a lesser character. If it be true that Mrs. Eddy is insane, there are many thousands of other people who accept her philosophy of life who must be insane also. There is no escape from this conclusion. . . .

A very important principle is involved here. There are those who maintain that the first duty of an individual is towards his immediate family and near relatives. Probably a majority of people so believe. But is it not a fact, that in all ages the great thinkers, poets, artists, and philanthropists of the race have felt that humanity had claims upon them superior to those of the family, and that if they had not so believed the human race would have been destitute of thinkers, poets, artists, and philanthropists. These men have believed that they were not justified in giving up to one or a few what was meant, in their judgment, for mankind.

All great thinkers and all great poets have seemed insane to their contemporaries, and Professor Lombroso maintains that they were. But the crude common sense of one generation is always lost in the rapt admiration of the generations that have succeeded. Stoned and crucified, or at least greeted with obloquy and scorn in their day, the great men have laid deep the foundations upon which the subsequent ages have built.

Crude common sense and crass materialism hailed Mrs. Eddy's book with derision and scorn when it first appeared and pronounced it the product of an insane pen. "To say that matter does not exist is sure proof of lunacy," men cried. But after all there is hardly a metaphysician in the world to-day who believes that matter has any existence apart from mind. The simple, empirical idealism of Bishop Berkeley has become the foundation of modern science. Everybody who has studied the matter knows that the form, position, color, odor, and hardness of objects are merely a congeries of tributes which have no meaning apart from the cognizing mind. To a man born without the five senses there would be no world.

The view-point of Mrs. Eddy is still more radical. It has not commended itself to many metaphysicians. It does not commend itself to us. But that does not prove that Mrs. Eddy is insane. There is room enough in the world for all varieties of belief. There is truth in them all. And from the clash of beliefs truth slowly emerges to be seen of men.

"THE EVENING NEWS," LYNN, MASS.

The proceedings against Mrs. Mary Baker Eddy have been dropped by counsel for the plaintiffs, and the next step in the movement to place such legal restrictions upon her acts as shall prevent her from exercising her own initiative in the disposition of her property is awaited with considerable interest. It is evident that the plaintiffs had based their action upon the expectation of having little difficulty in placing Mrs. Eddy's sanity in doubt. When it became apparent that the very foundation of their structure was wabbling, there was little use of pursuing the matter further.

Mrs. Eddy spent a number of years of her life in this city, where she has many followers. It was here that she developed Christian Science, which has since spread all over the civilized world. Her followers in this city number among them many of our best and most respected

DR. ALLAN MCLANE HAMILTON, NEW YORK

(Expert Alienist)

(Biographical Sketch, page 367)

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people. Nobody has ever questioned their sanity, yet if Mrs. Eddy had been found wanting in mentality it is difficult to conceive of such a finding without applying it to all her followers.

It has always been found a very excellent rule to let other people's religion alone, and in so far as Christian Science, or any other creed, places no obstacles in the way of freedom to worship as one will, it is no concern of anybody as to why the followers of Mrs. Eddy believe as they do, nor are their beliefs any indication of an unbalanced mind. If such were the case every person in the possession of some comforting ideas concerning the hereafter would be taking a chance at being pronounced insane were he to make them known.

Mrs. Eddy has accumulated her wealth from the followers of her religion, and thus far she has shown a disposition to give them all the benefit that has been derived from it, aside from the maintenance of a far from extravagant establishment at Concord. Her course in the conduct of her financial matters has been a most rational one and indicates an intention of giving, at her death, practically all her riches for the future development and support of Christian Science.

"INDIANAPOLIS STAR," INDIANAPOLIS, IND.

That was a wise judge who reminded the lawyers in the Eddy hearing that the tenets of religious belief are not proper objects of judicial inquiry. It would be quite as proper to subject the rhapsodies of the poet to the laws of the naturalist.

It is a curious and suggestive fact that the most devoted and able undertakings to reconcile science and religion or to interpret one in terms of the other have lamentably failed of their mark. One reason probably is that those minds are very rare in which keen interest is felt equally for mathematical and chemical laws and processes and for those emotions and experiences that fill up the realm of religious faith. Another reason doubtless is that the ter-

minology and atmosphere of faith and of science have so little in common.

But the great fact is that the two words are distinct; and this is true even of Scientists who are devout believers. With one side of their minds they explore the uniform processes of nature, with the other side they pray and praise. In most men, however, the two habits are mutually exclusive. The dominant passion of the life crowds out its less favored impulses. The classic illustration on this head is the self-confessed atrophy of Charles Darwin's spiritual nature. You cannot measure the poet's mind with that pitiful plummet of logic. You cannot weigh the prophet's utterances in the scales of historic accuracy.

Nowhere is this demarcation between science and faith more fully apprehended than in the Scriptures themselves. It was Jesus who gave thanks that the mysteries of faith had been denied to the wise and prudent and revealed unto babes. It was St. Paul who reflected that not many mighty or noble are called, but rather the weak and foolish ones, and who fully realized that the gospel was to the Jews a stumbling-block and to the Greeks foolishness.

Nothing in all of our fabric of constitutional government becomes us more than the written and unwritten code that the civil power shall stay its hands at the sanctuary of religious faith. Liberty itself has no prouder title to perpetuity among the brave and free than the wall that has been raised up about the individual conscience and the secret convictions of the human soul. Against that blessed barrier the armies of princes and the emissaries of ecclesiastical inquisitions may rage in vain.

"THE REPUBLICAN," SPRINGFIELD, MASS.

So far as Christian Science is affected by the case, it has received one more gratuitous advertisement of amplitudinous proportions, and it has been hurt as little as Mrs. Eddy herself. If the desire was to attack that faith

under cover of the legal proceedings to test Mrs. Eddy's mental condition, and thus open up in the courts a line of assault upon its history and its tenets, the scheme failed the moment that the Masters wisely and properly refused to open up issues outside the simple property question involved. The one question was entirely separate from the others, and these others call for the judgment of something besides the purely legal mind.

"THE REPUBLICAN," DENVER, COL.

A court commission is undertaking to determine in its limited way the mental and physical condition of the founder of Christian Science. . . .

The gravamen is that Mrs. Eddy teaches that "all is mind." Well, that is not new. It is very old. This teaching from the cradle of civilization is being restored. In actual numbers many more believe in the doctrine that mind is all in all and that matter is but the phenomenon of mind, than that matter creates mind. As a religious belief the doctrine expressed by Mrs. Eddy for the understanding of the Western mind has vastly more adherents than has the religion to which the Eddy commission is supposed to give adherence. Since Mrs. Eddy advanced the old-new doctrine many materialists and scientists have come to a better understanding of what is meant in the Eddy metaphysics. The scoffer is not heard so often. Before the commission Mrs. Eddy has demonstrated that despite her advanced years she is alert to a degree. There is evidence in her own case that mind is triumphing over matter. Insane? When Paul was before the Romans on a like accusation he answered, "I am not mad, most noble Festus; but speak forth the words of truth and soberness." The words of the Christian Science founder to the members of the Concord commission were eminently sober and Christian-like. As for the "next of kin" there is historic precedent in plenty for the position taken by Mrs. Eddy. The world's advance work has not been done by those whose views were bounded by blood relationship.

"THE JOURNAL," BOSTON, MASS.

The abandonment of the suit of the self-constituted "next friends" of Mrs. Eddy against her advisers and official family does not come as a great surprise.

There is no doubt that as the result of this celebrated case is a legal victory for Mrs. Eddy and Christian Science, so it is a moral one. The cult has been strengthened, solidified, extended by it. Nothing has been brought out to weaken the faithful or shock the public at [illegible] as is stoutly maintained, the suit was really [illegible]son is a New York newspaper for the purpose of [illegible] error sension and disaster to the Christian Scienc[illegible]or delu- outcome is certainly far from the original in[illegible]nty and

General Streeter professes to be indign[illegible] smack of withdrawal of the plaintiffs and stoutly desire for a fight to a decision. But it is able that a day's reflection will convince a very good time to let well enough al[illegible]cinued attacks suit for an accounting against the trust[illegible]Baker Eddy, March 6 by Mrs. Eddy, that will proba[illegible]nce religion. tion before it comes up again. It is dif[illegible] desirability any more action of the sort can stand a[illegible]it appears surrender.[illegible]or physical [illegible]le to draw

"THE NEWS," SAVANNAH, G[illegible] establish

There are so many followers of Mrs. Ma[illegible] result of and so many who, though not followers, a[illegible] practically everything that pertains to he[illegible]pect for acter of a teacher of a new religion or h[illegible]ief, it is that the proceedings of the suit that has [illegible]s of excel- against her by her son, for the safeguardin[illegible]p- erty, are regarded with deep interest in a[illegible]of the country. As is well known, a commissio[illegible] been ap- pointed to investigate her mental condition to find out whether or not she is capable of managing her property. The commission, with the opposing attorneys, have visited her at her home and asked many questions. Her answers

did not disclose mental weakness so far as her material affairs were concerned. She talked as clearly about her bonds and other property as anybody possibly could. It seems from the account she managed her business affairs until recently, when she turned them over to trustees, and she declared that the idea of a trusteeship originated with her. There was no suggestion from outside parties.

She may have delusions respecting the science which she teaches and other subjects. Assuming she has such delusi[illegible] and it has not yet been shown that she has, it Mrs. [illegible] to see what they have to do with her ability to and ent[illegible] business affairs, unless it can be conclusively property? [illegible] they weaken her mind.

It is [illegible]ination by the commission was full of interup by sus[illegible]cat[illegible]d that she is a very remarkable woman. as her inte[illegible]neys opposed to her make a better showpossessed b[illegible]ommission visits her this week, it is impossfounder of [illegible] how it can be held that she is not fit, menscience may be[illegible] her own business affairs. It is a safe view of it at [illegible]ne investigation will show that she is able the people w[illegible]. any commu[illegible]

[illegible]AILY WORLD-HERALD," OMAHA, NEB.

on the cont[illegible]rations ago public sentiment, even in the the socially [illegible] indorsed religious persecution, and the this or any [illegible]pious blessing to the red-handed murderers a thirst for [illegible]witches" at the stake. But that day of [illegible]ssed.

The d[illegible] passed indeed is made plain by the dismissal against [illegible]ings against Mrs. Eddy. Ostensibly she was all fair-m[illegible]o court to prove her sanity. But really she [illegible]d for heterodoxy, to be punished before the wor[illegible]blishing a church different from somebody else's c[illegible] It was the prosecution for witchcraft over again. L[illegible]'ly it was attempted to prove that she believed in mal[illegible]nant spirits who work their evil by much the same charm the "witches" employed.

The entire proceeding was disgusting. It was redeemed

only by the impressive scene that resulted when Mrs. Eddy was "examined" at her home, where by her courtesy and unfailing good nature, no less than by the clarity of her thought and the force and vigor of her expressions, she put her persecutors to shame. The effect on the enlightened sentiment of the country was such that the dismissal in short order was an inevitable consequence.

Let us hope this is the last revival of vindictive Middle Ages intolerance this country will witness for a long while. The great founder of American institutions taught that truth has nothing to fear from error so long as reason is free to combat it. Hereafter if we wish to combat the error we may see in some other man or woman's doctrines or delusions or ideals, let us do it with reason, and in all charity and kindness, not with inquisitorial proceedings that smack of the thumb-screw and the rack.

"THE ENQUIRER," BUFFALO, N. Y.

Very much like persecution appear the continued attacks of certain members of the press on Mrs. Mary Baker Eddy, founder and still leader of the Christian Science religion.

Setting aside altogether the question of the desirability of a universal acceptance of Mrs. Eddy's faith, it appears little short of absurdity to seek to prove mental or physical incompetency for the woman who has been able to draw about her such a strong following; to so firmly establish a great church and to accumulate a fortune as a result of personal effort. . . .

In this country, which prides itself upon its respect for women and its liberality concerning religious belief, it is the more inexcusable. There are many thousands of excellent citizens who have a firm faith in Mrs. Eddy and her teachings, who feel that she has been assailed in a most unwarranted and inexcusable manner, and they are wondering whether it is the jealousy of other sects or the avarice of individuals who covet the wealth which Mrs. Eddy has accumulated, which is the prompting cause.

"The Enquirer" deprecates the character of the annoy-

ance to which the head of the great Christian Science Church has been subjected, and sympathizes with her followers in their protest against that species of journalism which has made the woman and her faith a target for persistent misrepresentation.

"THE INDEPENDENT VOTER," TOLEDO, O.

Even the sacred precincts of the church are not safe from the ravages of the money-grabber. That most remarkably religious and thoroughly intellectual woman, Mrs. Mary Baker G. Eddy, has succeeded by her tact and energy and literary ability in acquiring considerable property.

It is hoped that the courts will formally wind the matter up by sustaining Mrs. Eddy in her property rights, as well as her intellectual standing. Such minds are rare as that possessed by Mrs. Mary Baker G. Eddy. She is the founder of the Christian Science cult. Its value as a science may be and is questioned by many, but there is one view of it at least that should not be overlooked; that is, the people who compose the membership are not those in any community who are inclined to pursue evil practices; on the contrary, they are recognized as good examples of the socially pure. Why, then, cast a stone in the way of this or any other cult that has a tendency to create in man a thirst for higher things?

"THE AMERICAN," NEW YORK

The dismissal of the suit brought by "next friends" against Mrs. Mary Baker G. Eddy will be gratifying to all fair-minded people without regard to religious belief.

While the public is left in the dark as to the reasons for dropping the suit, it is quite as much in the dark as to why it was ever brought in the first place. If its object was an attack on Mrs. Eddy as the founder of Christian Science, it will be rightfully regarded as an attempt at persecution. In a land one of the corner-stones of whose government is religious liberty, such a course is short-sighted in

that its effect, if it have any effect, must be to help rather than to harm the cause attacked. This would be true whatever the cult assailed.

It is not a question of whether we agree with Christian Science or not, but is solely a matter of individual freedom. Whatever we may think of Mrs. Eddy's theories, we cannot but respect her rights, the same being the rights we cherish for ourselves.

Mrs. Eddy's personal counsel objected to the dismissal of the suit until the matter of her mental competency is cleared up. So far as the public mind is concerned we believe that matter is largely settled now. If the examinations of her already made had not effected that result, the unqualified statement of Dr. Allan McLane Hamilton would certainly do so. It is now to be hoped that Mrs. Eddy, like all other persons who are acting within their rights, will be left in peace and security.

"THE OBSERVER," HOBOKEN, N. J.

It was hinted that Mrs. Eddy, Leader of the Christian Science Church, might have to secure a physician's statement asserting her inability to be present at the hearing in the suit instituted against her by her "next of kin," to escape the gruelling alleged to have been prepared for her. . . . To have subjected Mrs. Eddy to such an ordeal would have been little less than a moral crime. . . . That the Masters appointed to examine into her capability to manage her own affairs spared her this ordeal, is to their credit.

But this is by no means the main issue brought out in this remarkable suit. The question of whether a person has the right to choose his own associates in any legitimate undertaking is paramount. There is no claim of immorality or anything illegal against Mrs. Eddy in this remarkable suit. No matter how eloquent lawyers may grow in their efforts to show that Mrs. Eddy would be better off in the hands of her "next of kin," there is none who dares sneer or point the finger of scorn at this venerable woman.

Mrs. Eddy, it is presumed, is under the same religious protection as every one else in the United States, which protection gives her the right to worship God according to the dictates of her own conscience. Not only has she done this, but the cult she has founded has grown to great proportions. Reports of the interview between herself and the Masters show her mind to be remarkably bright. The fact that she believes some things which others do not does not prove her incompetent or insane.

To the fair mind the proceedings against Mrs. Eddy constitute an outrage, which long ago should have been thrown out of the courts.

"THE RECORD," PERRY, N. Y.

It has been the experience of nearly every religious sect to suffer persecution to a greater or less extent, and the leader of any radical movement has had to bear his or her brunt of it. This is true of Mrs. Eddy, head of the Christian Science movement, who has been the subject of considerable discussion of late, because of action on the part of "next friends," who are endeavoring to secure possession of her property on the contention that she is incapable of properly managing her affairs. Even among people who are not of the faith, there has been a suspicion in the mind that other motives than consideration for Mrs. Eddy's welfare are prompting the "next friends." Testimony from people of high character in Mrs. Eddy's home city of Concord, New Hampshire, state that she is entirely competent to manage her affairs successfully. A reporter for "The Boston Globe" visited her at her home a few days ago and enjoyed an interview lasting nearly an hour with the noted woman. Although she is nearly eighty-six years of age, Mrs. Eddy is comparatively strong, her mind is keen, alert, and active, and she reads and writes without the aid of glasses. The purpose of the reporter's visit was to get a first-hand exact knowledge of facts, and he was given a satisfactory opportunity. He found that Mrs. Eddy directs the management of her household, notwith-

standing that her time is largely occupied by her writings. "The Globe" contained a detailed report of the interview, occupying about three columns of space. Its plain statements carry conviction of their accuracy.

"THE FREE PRESS," DETROIT, MICH.

The suit in equity brought by George W. Glover, son of Mrs. Eddy, and others as "next friends" against Calvin A. Frye and other prominent Christian Science leaders has been dropped. The suit was a sensational one from the beginning, and the end is also sensational. But it appears evident that the charge that Mrs. Eddy is insane is one that cannot be substantiated. The stenographic report of the interview of the Masters with Mrs. Eddy proved to the satisfaction of the reading public that the venerable woman was in full possession of her mental faculties, and that the reports of her mental breakdown, as published in two New York newspapers, were destitute of foundation. . . .

"OPTIC," QUINCY, ILL.

So Mrs. Eddy's court case has ended. As to the merits of this suit, the general public has no definite opinion. It was a question of property rights, in which the public could only have that interest which desires to see justice done to all concerned. But there was more than property question involved indirectly in these proceedings. It is safe to believe that there would have been no court case, had it not been for inspiration based on bitter opposition to the religious doctrine of which this remarkable woman is the leader and founder. It is a curious fact, one worthy of study by psychologists, that the Founder or Leader of such a peculiarly pacific faith as that of Mrs. Eddy should be subjected to such bitter, unrelenting hostility. Nor does the fact that the leader is a refined and cultured woman make the slightest difference to her persecutors. This is surely not as it should be. It is certainly not a right thing in this country, in which religious freedom is one of our

fundamental principles. In this republic, every instance in which a lawful religious faith is persecuted is a distinct violation of the spirit of our institutions — this irrespective of the truth or error of the faith. As heretofore stated in these columns, we are not of Mrs. Eddy's faith. But we are distinctly a believer in fair play, in accordance with American institutions, and Mrs. Eddy has not been fairly treated. There is no question about that.

"The New York American," New York

The judicial investigation into Mrs. Mary Baker Eddy's mental condition has revealed that the head of the Christian Science faith is quite the mental equal of the examiners; that she knows as much about her financial affairs as is necessary for her to know, and that at eighty-seven she is considerably more vigorous in mind and body than a number of United States senators who are in their seventies.

Religious tolerance has been practised in this country from its foundation — it has been a principle which has hitherto been held sacred. That the first conspicuous violation of this principle should be an attempt to drive a woman from a position she holds by the cheerful consent of thousands of followers is not very flattering to our supposed enlightenment.

Now that Mrs. Eddy has demonstrated that she not only is competent, but is in astonishing physical health for a woman nearly ninety years old, it would be more in keeping with American ideas to allow her remaining years to be spent in peace.

"The Democrat," Havana, Ill.

During the past few years there has been much said in the newspapers relative to the physical and mental condition of Mrs. Mary Baker G. Eddy, founder of Christian Science. The newspaper comment has arisen largely from the fact that she has for several years withdrawn from public life, confining herself almost exclusively to her home

and seeing only immediate friends. Only twice in recent years has she submitted to interviews from newspaper men —one a fifty-five second interview last October and a forty-minute interview given to the representative of "The Boston Globe" on June 15. The teachings of Mrs. Eddy relative to life, health, disease, and death have intensified public interest with reference to her own health. A sensational press has sought every opportunity to make reference to her mental and physical condition, more to satisfy the morbid curiosity of a gossiping public than from any desire to correct a false impression. The recent interview, however, established the fact, beyond the peradventure of a doubt, at least in the mind of "The Boston Globe," that Mrs. Eddy is not only strong and vigorous physically for one of her age, but that she is alert, incisive, and vigorous in her thinking, shifting easily from one topic to another and talking fluently upon all topics.

"THE PATRIOT," PUTNAM, CONN.

It is not mere succession of days, nor accident of birth and environment that constitutes a life; but the spiritual area a mind covers, its stretch over the thought of its own day out beyond time and space. In fulness of spiritual consciousness, in consecrated purpose, in abundance of giving, is the "mystery of the power" of the woman that is baffling the attack of a so-called "unprejudiced and impartial" periodical.

Mrs. Eddy has made a claim not to gain, but to give; not to be loved, but to love; not to live in, but to lose self. This is the apex of life — renunciation of self. Greater love hath no man than this, that he die to self. "What have ye done?" is the divine question that searches and uncovers life. Biographies, creeds, motives even, face to face with deeds count but little.

No pure, no brave act is lost, or goes unwitnessed or unloved. Knowing this, God's children, who love much, can work with nobleness of aim, can wait with sweetness of peace. This she has done. This she is doing. Her life

emphasizes the truth that we *are* insomuch as we are to other men. Not yet is her task here ended, nor her long day done. Her wisdom's gentle radiance still lights the way, —

An influence luminous,
A shining peace.

To her the " sundown comes splendid and serene."

" The Globe," Boston, Mass.

The suit to determine the competency of Mrs. Eddy to manage her business affairs on March 1, 1907, was yesterday withdrawn by counsel for the " next friends " before the Board of Masters at Concord, New Hampshire. It was a dramatic conclusion of a case that has been replete with sensations.

The one thing more than any other that probably influenced the action of the counsel for the " next friends " in withdrawing the suit was the remarkable interview of the Board of Masters with Mrs. Eddy. The report of that interview justified the widespread astonishment at the mental vigor of a woman of Mrs. Eddy's venerable age. It was immediately apparent that a strong impression had been produced upon all who saw and heard her.

It was fortunate for the interests of Mrs. Eddy that a gentleman like Judge Aldrich was chosen judicial Master in the case. A jurist of long and varied experience, a man of broad philosophy, he was entirely free from any of the passions which the controversy had excited; and he imparted to the proceedings a universal interest and significance by enunciating anew the great American principle, that the soundness or unsoundness of any religious belief shall not be the subject of legal decision.

" The Sun," Marshall, Tex.

We are not qualified to deliver an essay on the creed of the Christian Science Church or on the facts connected with the recent suit, and we would not attempt it had we the information, for this is not a religious publication; but we have the greatest respect for any religious creed which

accomplishes good. There is no question but that the Christian Science Church has accomplished great good. The church is but twenty-seven years old, and yet it has more followers to-day than many older sects. No effort is made by any Christian Scientist to thrust the creed down an unwilling throat. . . . There is a spirit of intolerance about the attacks upon the Christian Science Church which we do not relish, and that hints at a violation of the Constitution of the United States, which guarantees to every one the right to worship as he chooses. We do not mean that to be a member of the Christian Science cult is in itself a guarantee of worthiness, for we have yet to discover the creed which is not shamed by the hypocrite. No charge of hypocrisy can be laid at the door of Mrs. Eddy. She has led gently and has practised what she has preached. She has reached an advanced age with a record of good deeds. . . . We have the greatest respect for Mrs. Eddy and for her teachings, and we doff our hat to the Christian Science Church as we do to any sincere creed which helps men to do right.

"THE POST-DISPATCH," ST. LOUIS, MO.

Most of the founders and protagonists of great religious or ethical movements have been charged with delusion if not insanity. Beginning with Paul, whose eloquent statement of the faith that was in him brought forth the remark of Festus, "Thou art beside thyself; much learning doth make thee mad," new beliefs and theories have been challenged at first only by the assertion that the persons holding them were infirm of mind.

The court proceedings against Mrs. Eddy have an uglier significance in the fact that they are based upon an attempt to gain control of her property, but if she were not a distinguished leader in the realm of faith it is probable that they would have made little progress. Law may be the perfection of human reasoning indeed, but human reasoning itself has never prevailed against the cherished beliefs of the soul. Though it may revile and persecute and im-

prison, it cannot destroy faith once established and devoutly adhered to.

In this view the recent conversation between the Court Masters and Mrs. Eddy was suggestive of the inquisition. Bringing matter-of-fact legal processes into play to measure the spiritual and metaphysical is like attempting to weigh a butterfly on a hay scale. If Mrs. Eddy had not been an innovator in religion and in healing she would not have been troubled with this clumsy attempt to discover the processes of her mind.

"THE GRANITE STATE FREE PRESS," LEBANON, N. H.

What seems to us a vital point in the Eddy case appears to have been given little weight in the inquiry, even by her counsel. The property was not acquired in the ordinary course of business. It does not rightfully belong to her relatives. It would be a travesty of equity to so regard or treat it. It were enough if Mrs. Eddy make a fair and reasonable provision for her son, and there was no reason to suspect her of intentions to do otherwise. The bulk of the property belongs justly to the religious cult of which she is the head, and should properly be applied, before and after Mrs. Eddy's death, to its propagation. . . . It has not appeared that there was danger of its being turned to personal and unwarranted uses. If such it should be, even, why should "The New York World" publishers concern themselves? George W. Glover, but by its suggestion, would never have brought the suit. Supposing somebody near Mrs. Eddy should misappropriate the property, whose business is it but that of Christian Scientists? And they were and are content. They are intelligent and good citizens. Nobody can deny that. . . . We like fair play; and we do not think that Mrs. Eddy and her adherents should have been given all this trouble or subjected to this expense.

"THE INDEPENDENT," HELENA, MONT.

We have no intention or desire to say that Christian Science is the "true religion," or that it is better or worse

than other religions, or that its philosophy is either adequate or final; but any religion is better than no religion, and Mrs. Eddy has accomplished much of good for hundreds of thousands of sincere followers. The Christian Science movement or propaganda has gathered into the limits of decency, of charity, and of right living thousands of men and women who would not or could not become sectarian in other churches. The Salvation Army has done a similar work in fields impossible for the religionists of known standing.

The concomitant scheme to discredit the church of which Mrs. Eddy is the head is cowardly, unfair, and reasonless. The Christian Science Church — movement, school, or what it may be called — is all right. It may not suit you any better than the Salvation Army or any other sect, but it does bring men and women under the beneficent influence of Christ, and the desire of relatives to get hold of Mrs. Eddy's fortune cannot minimize the injustice of assailing her doctrines or her sustained faith in them.

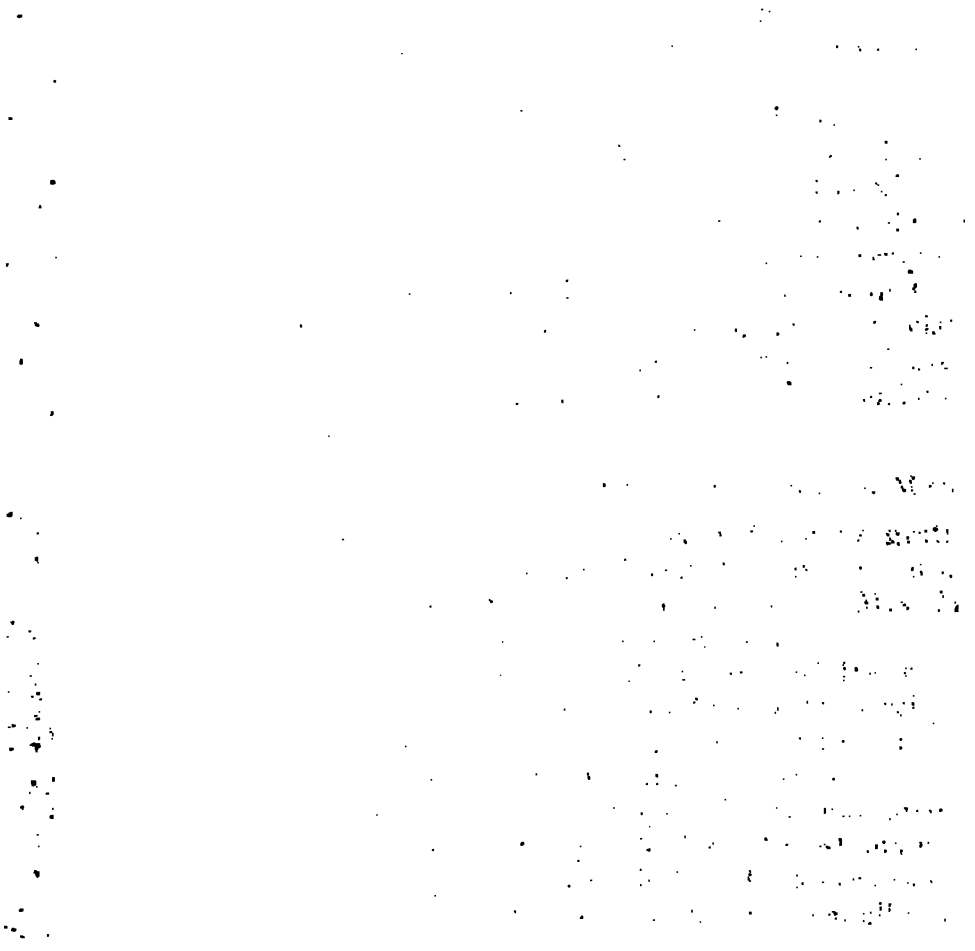
"Evening Press," Grand Rapids, Mich.

The public as a whole cannot but be gratified by the determination of the "next friends" to drop the legal inquiry into the mental competency of Mrs. Mary Baker G. Eddy to care for her property. . . .

Public sentiment will approve of the refusal by the commission to inquire into Mrs. Eddy's religious beliefs. Such matters are not properly a subject for courts to pass upon. This is a Christian nation, yet no court would hold that a Mahometan's religious beliefs indicated insanity or mental incompetency. Neither Protestants nor Catholics, though regarding the beliefs of Buddhists as serious error, would argue that Buddhists are mentally incompetent. There are many thousands of Christian Scientists who hold firmly to Mrs. Eddy's doctrines. Courts can no more undertake to say that they are insane or mentally incompetent because of their beliefs than are Mahometans.

OLIVER E. BRANCH, MANCHESTER

(Counsel for New Hampshire Defendants) (Biographical Sketch, page 369)



OLIVER E. BRANCH, MANCHESTER

(Counsel for New Hampshire Defendants) (Biographical Sketch, page 369)

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Allopathists believe homœopathists to be fundamentally wrong in their ideas of disease and medicine, yet they do not regard homœopathists as insane. Under the circumstances further prosecution of the suit would have appeared like persecution, and the "next friends" showed good judgment by dropping the case.

"NEWS," GRAND RAPIDS, MICH.

The examination of Mrs. Eddy at her home in Concord as to the condition of her mental faculties caused the impression that she is a courteous and well-informed woman, and remarkably well posted as to the value of her properties. This fact is in itself strongly in favor of her sanity and of her responsibility. . . .

Mrs. Eddy's analysis or defence or commendation of Christian Science will please the adherents of that system, or so-called system, and will displease its opponents. The pleasure of the one class and the displeasure of the other are inevitable, but, like the flowers which bloom in the spring, they have nothing to do with the case of Mrs. Eddy's mental responsibility or irresponsibility, which is alone involved. The legal commission appointed to report upon that comprises able and impartial men. The lawyers employed to attack Mrs. Eddy's responsibility and those employed to vindicate it are able and learned men. Both the commissioners and the lawyers, and especially the judge to whom the report will be made, will realize the irrelevancy of the truth or of the error of Christian Science, so called, to the issue which they are considering.

"PRESS," TOLEDO, O.

That commission appointed by the court in the suit brought by Mary Baker G. Eddy's would-be guardians, to inquire into her mental condition, have had an interview with her and, so far as report goes, found her in pretty good mental condition.

Senator Chandler, attorney for the unbelievers, now takes the position that Mrs. Eddy's religion, rather than

her incapacity to transact business, evidences her mental defects.

It is passing strange that the only people interested in Mrs. Eddy's future material welfare are persons who disbelieve her creed. One is constrained to wonder if the same interest would be taken in Mrs. Eddy's affairs by these "next friends" were she a poor widow, struggling to raise a half-dozen children, instead of a reputedly rich woman.

This suit against Mrs. Eddy is attracting very wide attention. How far the courts will go in what is generally regarded as a religious persecution is a question that is sure to attract interest, aside from its ludicrous phases.

"Herald," Quincy, Ill.

Whatever the motive behind the proceedings to establish the mental irresponsibility of Mrs. Mary Baker G. Eddy, discoverer and founder of Christian Science, it will occur to many people, regardless of their religious or medical leanings, as something contrary to the American idea of fair play, to say nothing of the American idea of gallantry, that a woman of her age should be subjected to the ordeal insisted upon by the legal representatives of the interests opposed to her.

But since this ordeal was insisted upon, and since it is to be continued, it must be a source of satisfaction to find that an American woman who has long since passed the Scriptural limit proves herself upon examination to be the equal, if not the superior, of these legal representatives in intellectual capacity and strength. That Mrs. Eddy is, in the highest sense, a remarkable woman was never more clearly established than in this inquiry, says "The Inter-Ocean."

"The Telegraph," Dubuque, Ia.

A commission appointed by the court to examine into and report on the sanity of Mrs. Mary Baker G. Eddy visited the founder of the Christian Science cult in her

home, and from the conversation as reported in detail in the press despatches, it is to be inferred that Mrs. Eddy is not insane. She withstood the long interview without giving evidence of mental or physical breakdown.

One need not accept the tenets of Mrs. Eddy's creed to agree that she is a remarkable woman. They are not halt and blind who are following her leadership, but persons better circumstanced than the average, — persons who have had the advantage of education and culturing influences. They were attracted by the beauty in the creed, and hundreds of thousands of them have been helped spiritually.

"THE NEWS-LEADER," RICHMOND, VA.

Abandonment of the Eddy suit by the plaintiffs determines finally the question of Mrs. Eddy's sanity and capacity. Keen and able lawyers have seen her face to face and subjected her to a close examination. Evidently they are convinced that she is able to manage her own affairs and that her intellect is unclouded. There is some hint in the proceedings that a newspaper is responsible not only for the original stories attacking Mrs. Eddy's sanity, but for the suit and investigation. If this be true, we wish most earnestly that some way could be found to make the newspaper suffer heavily for its indecent enterprise.

"THE SUN," ATTLEBORO, MASS.

The suit against Mrs. Baker Eddy has been withdrawn without compromise or "settlement," and the "next friends" have thus publicly acknowledged that statements that Mrs. Eddy is incompetent have no foundation in fact. It has been the severest trial of her life — this long discussion of her mental state — and the litigation having been concluded, it is to be hoped that she will be left to enjoy the peacefulness and serenity that her years have earned for her.

"The Times," Ann Arbor, Mich.

From whatever view-point Mrs. Eddy is regarded as to her teachings, every reasonable person has long since come to regard her as not only a woman of surpassing intelligence, but one whose faith is founded on honest conviction, and whose every impulse is for the uplift and betterment of humanity.

"The Journal," Meriden, Conn.

It is just as well that the case against Mrs. Eddy, the Christian Science leader, was withdrawn. Public sympathy was not largely with those who brought it, and now that it is apparently made clear that Mrs. Eddy is not insane, it is best to let her alone and drop the court proceedings, as was done to-day.

"The Times," Troy, N. Y.

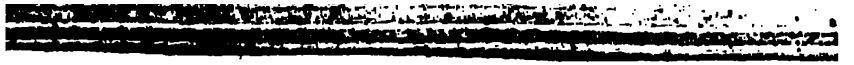
Mrs. Eddy triumphs over her pursuers in the courts. The suit against this famous woman has been discontinued. Christian Science may now speak with experience of the law as well as of the gospel, and can discuss the difference between friends and next friends.

"The Enquirer," Buffalo, N. Y.

The advisers of Mrs. Eddy must have been confident of her sanity. They submitted the question to Doctor Hamilton, who does not always testify as he is retained.

# BOOK VI

## BIOGRAPHICAL



# Book VI

## BIOGRAPHICAL

### EDGAR ALDRICH

EDGAR ALDRICH, whose appointment to the office left vacant by the death of Judge Clark, was very generally recommended by members of the bar throughout the state, is a native of the town of Pittsburg, formerly known as Indian Stream Territory, — a section, the jurisdiction of which was in dispute between our own and the British government for many years, and whose people in 1830 set up and maintained for some time an independent government pending the settlement of a controversy. It was about this time that Ephraim C. Aldrich, grandfather of the subject of this sketch, removed from the State of Connecticut and located in the territory with his family, which also included a son, Ephraim C., the father of Edgar, born February 4, 1818, who became a prominent and influential citizen of Pittsburg, was conspicuous in town affairs for many years, was a deputy provost marshal, and largely instrumental in raising men and money for the Union service during the late war, and was also an active manager of the Upper Coos River and Lake Improvement Company. He married, in 1840, Adeline Bedel Haynes, a granddaughter of the noted General Moody Bedel, a soldier of the Revolution and of the War of 1812, who was also one of the pioneers of the Indian Stream country.

Edgar was born February 5, 1848, remained at home, receiving such educational advantages as the district school afforded, until fourteen years of age, when he entered the

Academy of Colebrook, where he continued about three years, and soon after commenced the study of law in the office of Ira A. Ramsey of that town. He subsequently entered the law department of the University of Michigan at Ann Arbor, graduating therefrom in March, 1868, with the degree of LL.B., when twenty years of age.

Returning to Colebrook, he was admitted to the bar of Coos County at the following August term of court upon motion of the late Hon. Hiram A. Fletcher, who stated, upon moving such action, that he would attain the age of twenty-one before the next session of the court.

He opened an office and commenced the practice of his profession in Colebrook, continuing alo[illegible] until January 1, 1882, when he formed a partnership [illegible] William H. Shurtleff, under the firm name of A[illegible] & Shurtleff, which continued four years. Later he [illegible] for three years similarly associated with James I. Pars[illegible]s, and was again alone in practice until his removal to L[illegible] 1881, where he became the partner of [illegible] Bingham.

While in practice at Colebrook he w[illegible] appointed solicitor for Coos County.

In November, 1884, he was elected [illegible] member of the legislature from the town of Littleton. Although without previous legislative experience, he was nominated by the Republican caucus for speaker of the House, and elected to that position, for whose difficult and delicate duties he developed a surprising aptness, acquitting himself throughout this session in a manner which would have done credit to a veteran parliamentarian.

At the outset of his professional career, Judge Aldrich entered at once into the preparation and trial of causes, paying comparatively little attention to the ordinary routine of office work. He took delight in the exciting legal forensic contests which have characterized the practice of both the Coos and Grafton bars, and an examination of the reports will demonstrate his active and conspicuous participation in many of the important cases on the northern

dockets during the last two decades. One of the most important and interesting causes in which he was engaged, and one in which he added greatly to his reputation for ability and research, was that of the Connecticut River Lumber Co. *v.* Olcott Falls Co.

Dartmouth College conferred on Judge Aldrich the honorary degree of Master of Arts in 1891. As a public speaker he took high rank, and has delivered several notable addresses upon special and anniversary occasions, among which may be named his address in 1886, before the Grafton and Coos Bar Association.

Judge Aldrich was united in marriage, October 7, 1872, with Louise M. Remick, daughter of Samuel K. Remick of Colebrook. They have two children.

February 91, President Harrison nominated Mr. Aldrich Judge the United States District Court as the successor of Judge Daniel Clark of Manchester, which the jurisdiction was filled with marked distinction. and the British account of his official duties, spending people in 1880 Boston, he retains his home in Littleton, New Hampshire, where he has a finely appointed and beautifully situated residence on Church Street, commanding a delightful view of the village and the charming valley of the Ammonoosuc.

Thoroughly democratic and unostentatious in manner, readily approachable and courteous to all, Judge Aldrich is popular alike in the general community and in the profession of which he is a conspicuous representative. Of fine presence and strong physique, he is also endowed with vigorous intellectual powers; and with a full appreciation of the labors and responsibilities of his position, and the zeal and earnestness of comparative youth in meeting all their requirements, there is good reason for belief that he has before him a career of usefulness and honor, creditable alike to himself and to the New Hampshire district.

"The Granite Monthly," a New Hampshire publication, commenting on the notable figures in the late Constitutional Convention, says of Judge Aldrich:

"His commanding presence, intimate knowledge of every subject which came before the assembled delegates, together with the great esteem and confidence in which he was held, made him a powerful factor. His opinions were sought upon all important matters, and were always received with great interest. During the discussion of the trust question Judge Aldrich delivered one of the ablest arguments ever heard in Representatives' Hall. Having been well prepared for this occasion through his wide experience as a jurist, he exerted a great influence upon the final action, and to him more than any other is due the fact that the convention took a firm stand for the rights of the people against the encroachments of monopoly."

## ROBERT N. CHAMBERLIN

ROBERT N. CHAMBERLIN was born in Bangor, New York, July 24, 1856, and is the son of Antoine Chamberlin and Electa B. Sears. In his youth he moved with his parents to New Hampshire, and was educated in the common schools, later taking a course at Colebrook (N. H.) Academy and the Academy at Derby Center, Vermont. On finishing his school course, he decided to take up the study of law, and entered the office of George W. Hartshorn at Canaan, Vermont, and was admitted to the bar of Essex County in March, 1881. He returned to New Hampshire and in July of that year became a practitioner under the laws of the state, being admitted to the bar of Concord two years later, after which he took up his residence in Berlin, where he commenced the practice of his profession.

He was not long a resident of that town until he commenced climbing the ladder of civic distinction. In 1887 he was chosen selectman of the town, and was re-elected the following year, but resigned the office prior to the completion of the term. The same year he was elected to the New Hampshire legislature, and served through the session of 1889, with a position on the judiciary committee and as chairman of the committee on elections. Throughout the session Mr. Chamberlin was markedly prominent in the work of the House. His addresses on bills of importance were many, always clear and to the point, and by his course and success in the legislative field paved the way for the honors that were afterwards showered upon him.

In 1892 he was re-elected, and was at once advanced as a candidate for the speakership, to which he was nominated by an overwhelming vote in the party caucus, and his election followed shortly afterward. With skill he directed the deliberations of the body, with courtesy he

smoothed the pathway of legislation, and with force he impressed his personality upon the House.

Shortly before the session of 1892 a municipal court had been created in Berlin, and Mr. Chamberlin was appointed as judge. When elected to the legislature he resigned this position, but the place was held open, and after the adjournment of the legislature he resumed his duties as judge.

In January, 1904, a vacancy occurring in the Superior Court, he was appointed thereto, which position he has since held and filled with credit to himself, to his party, and to the state.

## FRANK SHERWIN STREETER

AS one of the elect, Gen. Frank Sherwin Streeter holds a place in "Who's Who in America," and of him the volume says:

"Mr. Frank Sherwin Streeter, lawyer, was born at East Charleston, Vermont, August 5, 1853, the son of Daniel and Julia Wheeler Streeter.

"Mr. Streeter was graduated at St. Johnsbury Academy in 1870 and from Dartmouth College in 1874. He was married at Bath, New Hampshire, November 4, 1877, to Lilian Carpenter.

"Mr. Streeter was admitted to the bar in 1877, was a member of the New Hampshire legislature in 1885, and president of the New Hampshire constitutional convention in 1902.

"He was president of the Republican state convention in 1902, delegate-at-large to the national Republican convention in 1896, and was made member of the Republican national committee in 1904.

"He was clerk of the Concord & Montreal Railroad prior to his resignation as attorney for the Boston & Maine; is a director of the Concord Electric Company, of the Page Belting Company, and of the First National Bank of Concord.

"He was the New Hampshire counsel for the Boston & Maine Railroad for many years. He is a trustee of Dartmouth College, is a member of the New Hampshire Historical Society and of the American Historical Association; a member of the New Hampshire Bar Association, and was its president during 1903–04. He is a member of the American Bar Association and was a delegate to the Universal Council for lawyers and jurists at St. Louis in 1904.

"He is Unitarian in religious belief and a Republican politically."

In addition it might be said that among Concord's men of affairs there is none she delights more to honor than Hon. Frank S. Streeter. His birth occurred in the same year the city received its charter, and for the last thirty years he has been closely identified with her best interests, participating actively in all movements that made for her permanent growth and greatness.

Mr. Streeter began practice in Orford, New Hampshire, but moved to Concord within a few months and became a partner with John H. Albin, Esq. In 1879 he formed a partnership with William M. Chase, which partnership continued until 1891, when Mr. Chase was made a justice of the Supreme Court. Later Mr. Streeter became head of the firm of Streeter, Walker & Chase, afterward changed to Streeter, Walker & Hollis, and since 1901, when Mr. Walker was appointed a justice of the Supreme Court, Streeter & Hollis.

Mr. Streeter is a large man physically and mentally; he deals with large interests and in a large way. He has an abiding faith in himself and has compelled others to believe in him. He has a remarkable knowledge of men, and this, coupled with his commanding personality, gives him an envied place at all conferences in which he takes part.

Mr. Streeter is a hard, consistent, earnest, intelligent worker, a clear thinker, able debater, fearless fighter, ever ready to make sacrifice for his clients.

The interests of Dartmouth College have ever been close to Mr. Streeter's heart, and for over seventeen years he has had the honor of serving upon the board of trustees. He was twice elected for a term of five years upon the nomination of the alumni, and in 1897 he was elected a life member. As a member of the committee on buildings he has had much to do with the external development of the college, which has been so marked since the beginning of President Tucker's administration in 1893.

Notwithstanding his great business and professional activity, Mr. Streeter has always found time for reading

and study. He is thoroughly familiar with both classic and current literature and is especially fond of history and biography. During the past two years he has prepared and delivered masterful addresses upon the formation of the German empire, with Bismarck, of course, as the central figure, and upon Cecil Rhodes.

Mr. Streeter's genial personality has won for him hosts of friends. He is a member of the Wonolancet Club, of which he is president, the Snowshoe Club of Concord, the Derryfield Club of Manchester, and the University, Algonquin, Union, and New Hampshire clubs of Boston.

For many years Mrs. Eddy has been acquainted with General Streeter, and the capability and loyalty with which he has served her has won from her words of high commendation of him as lawyer, neighbor, and friend. Because of the relation long established, when Mrs. Eddy deems it necessary to consult one learned in the law and in civic responsibility, his is the counsel sought.

Mr. Streeter has been favored by many audiences with Mrs. Eddy and thus has had opportunity to learn much of this wonderful woman; and as a result, though a widely experienced and conservative man, in speaking of those characteristics that mark her personality and that are the result of a lifelong devotion to a spiritual purpose, he deals only in superlatives.

## CALVIN A. FRYE

IN the November, 1907, number of "Human Life," in the section for that issue of the carefully compiled and well edited "Story of the Real Mrs. Eddy," prepared by Sybil Wilbur, is a biographical sketch of Mr. Calvin A. Frye, which is a fairly accurate and reliable recital of some of the more important incidents of his life.

In 1882 Dr. Asa G. Eddy died, and the work and responsibility that up to that time had been shared with her husband, Mrs. Eddy had now to carry on alone. In August of that year she called to her aid Calvin A. Frye, and of him "Human Life" says:

"Mr. Frye is said to have occupied an anomalous position in Mrs. Eddy's household. Anomalous it was, only in this respect there is no title that will cover the services he has rendered. He is usually spoken of as Mrs. Eddy's private secretary, but steward of her household is the better term. Those who would make a reproach of his faithfulness have called him her butler, her coachman, without considering that the life of the leader was so precious to the students of Christian Science that any one of them would as gladly don a livery to serve her as have nobles in a king's household.

"On one occasion when she was driving, the horses became alarmed and the reins were entangled. Mrs. Eddy was assisted to the sidewalk by a passer-by, while the driver could only struggle with the plunging animals. Thereafter Mr. Frye accompanied her on her drives, not as a companion, but as a coachman or footman, as you please, on the alert to assist her in any emergency.

"As Calvin A. Frye, recommended by her late husband and summoned by Mrs. Eddy herself, has remained for twenty-five years faithful in her service, where student after student failed and even her adopted son fell away from her, it is necessary to describe his early history and

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how he came into Christian Science. Calvin A. Frye was born in Frye Village, a part of Andover, Massachusetts, in 1845. The village was named for his grandfather, who had an extensive milling business there in grist and lumber. The Frye family is an old one, as American ancestry goes, his grandfather and great-grandfather having fought in the War of 1812 and the American Revolution. His father, Enoch Frye, prepared for college in the Phillips Andover Academy and entered Harvard University, graduating in the class of 1821 with men afterwards famous — as Ralph Waldo Emerson, Francis Cabot, and others. The members of this class held a reunion every year for fifty years, and Enoch Frye was present at the last reunion in 1871 in Cambridge. He was employed as school teacher in Boston, Massachusetts, for a time.

" Mr. Frye's mother was Lydia Barnard. There were five children of his generation, — Enoch, Lydia, Calvin, Oscar, and a brother who died in infancy. Enoch died in the Civil War, Oscar Frye is living in Quincy, Massachusetts, and has a business in Boston. Lydia Frye Roaf died in 1890.

" Calvin Frye received all the education he obtained at school in the district school of Frye Village. His father was in moderate circumstances, having through a fever sore on the knee contracted a lameness which incapacitated him for active life-work. The father kept a small grocery store for a time in Frye Village and later was employed in stores in Lawrence. He was prominent in the town affairs, serving for many years as selectman. It was not possible for him to educate his sons as he had been educated. The family moved to Lawrence in 1861.

" Calvin Frye worked in the Pacific mills of Lawrence tending machines, and was apprenticed to learn the trade of machinist when still a youth at a woolen machine shop in North Andover. He married Miss Ada Bush, a weaver, of Canadian birth and English ancestry. They were married when Mr. Frye was twenty-eight years of age. His wife lived only a year after the marriage and they had no

children. Her last illness was hereditary consumption. Mr. Frye thereafter lived at home with his parents and sister, working in the McKay sewing-machine factory, and was testing patent lasting-machines in shoe factories, near Natick, Massachusetts, at the time he became a Christian Scientist.

" The family of Mr. Frye all belonged to the Lawrence Street Congregational Church, Lawrence, Massachusetts. His father and grandfather before him sang in the church choir at Andover, Massachusetts. Calvin Frye was for fifteen years an active worker in the Lawrence Street Church. He was librarian, a teacher in the Sunday School, and a leader in the class meetings.

" Lydia and Calvin Frye became interested in Christian Science at the same time through Mrs. Clara E. Choate, who carried the teaching of the new faith into Lawrence by the healing of a distant relative of the Fryes. She was invited to their home and healed their mother. Calvin Frye went to Lynn and entered a class under Mrs. Eddy's instruction. He studied Christian Science in October, 1881, and thereafter practised Christian Science in Lawrence until the following August, when he entered Mrs. Eddy's employ.

" His mother died suddenly in the night without warning about four years after. The aged father died in 1886. Lydia Frye Roaf was for a time in the household of Mrs. Eddy in Boston with her brother, assisting in its supervision domestically. She returned to Lawrence and, until her death in 1890, was an earnest believer in Christian Science.

" Far from neglecting his family in any way because of his services to Mrs. Eddy, Calvin Frye performed every duty that a son or brother might for his family so long as there was any occasion. He attended his father in his last illness, was with him when he died, and attended him to the grave. His sister was tenderly cared for by her cousin, Mrs. Ira Frye, as at that time illness in Oscar's home prevented them from receiving her. Because of her

generosity, it was found after her death that she had deprived herself of her income. Calvin Frye paid his part of the expenses, which were also shared by the other brother after the sister's death. Oscar and Calvin Frye have never been estranged. Together they have cared for the family lot in the cemetery.

" Calvin Frye is a quiet, earnest man with a clear and placid countenance. His eyes have a smile lurking in them, for he is not without a gentle mirthfulness in conversation. He is an active, careful agent for Mrs. Eddy's personal affairs. For the taunts and jeers of newspaper correspondents he has not even a shrug of resentment. A quiet corner and a good book are all he requires, he has told the writer good-humoredly, after his daily duties are performed, and he is indifferent to the titles bestowed upon him, so long as he has acquitted himself faithfully to her whom he calls by the endearing term, ' Mother.' "

In August, 1907, those who were fellow-students of Mrs. Eddy with Mr. Frye, remembering that he had been her trusted, efficient, and loyal servant for a quarter of a century, made the fact pleasantly memorable to him by presenting him with a beautiful watch, upon which the fact was suitably inscribed.

An incident in his life, omitted by Sybil Wilbur, is that when Mr. Frye studied with Mrs. Eddy he boarded with her in her home in Lynn, and then and there Mrs. Eddy and her husband had opportunity to learn the characteristics of the man whom she has trusted so implicitly since.

In addition to the personal reference in the preceding sketch of Mr. Frye, it might be added that he has few or no confidants, that he keeps his own business and the business of Mrs. Eddy entirely to himself; is kind but firm, seeks no favors, strives not at conciliation, never becomes entangled in the affairs of others, speaks plainly of things concerning which there must be no doubt, moves softly but with dignity, and grasps the hand of a friend heartily. Mr. Frye is of medium height and over the average weight.

## ARCHIBALD McLELLAN

ARCHIBALD McLELLAN, C.S.B., is a native of New Brunswick, of Scotch parentage. In early life he moved with his parents to Boston and received his education in the Boston public schools. After some years devoted to business, he took up the study of law and graduated from the Kent Law School. For nearly twenty years he was associated in an executive capacity with a large mercantile agency, and resided in Chicago during most of that period.

A lawyer by profession and awake to everything which appeals to reason, he was early attracted to the Christian Science movement, and soon became an ardent adherent of the teachings of Mrs. Eddy. Subsequently he was elected a trustee in First Church of Christ, Scientist, Chicago, and took an active part in the building of its church edifice, the first Christian Science church built in Chicago. He also acted for some time as Publication Committee for the denomination in Illinois.

In 1902 he was called to Boston to assume the editorship of the Christian Science periodicals. At that time he gave up his professional and business connections, and has since devoted himelf entirely to the cause of Christian Science. In addition to his position as editor of the periodicals, he is a member of the Christian Science Board of Directors of the Mother Church in Boston, and is one of the three trustees selected by Mrs. Eddy to take charge of and manage her financial interests.

Mr. McLellan's efficiency in caring for the various responsibilities connected with the directorship of the church and the editorship of its periodicals, his wide, varied, and successful experience during many years, his conservative judgment, and his familiarity with the law and its relation to trust management, very naturally commended him to Mrs. Eddy as peculiarly well fitted to become one of the

trustees of her estate, and his call to the assumption of this very intimate relation to her personal interests emphasizes and illustrates the natural and inevitable advance which characterizes the career of those who serve faithfully and well in fulfilling every lesser responsibility committed to their care. It would be difficult to name a person, either within or without the ranks of the Christian Science movement, who is so peculiarly well equipped by native endowment, education, and experience to render this service to the leader of the Christian Science movement, and it was unquestionably a source of great satisfaction to all her friends that she should have found available one thus adequate to the management and conservation of her interests.

## HENRY M. BAKER

HENRY M. BAKER was born in Bow, New Hampshire, January 11, 1841. His birthplace is a few rods distant from that of Mrs. Mary Baker G. Eddy, both being on the farm redeemed from the primeval forest by their ancestors. He is the son of Aaron Whittemore and Nancy (Dustin) Baker. From both his father and mother he inherits heroic and distinguished blood. He is the sixth generation from Capt. John Lovewell, the famous Indian fighter, the fifth generation from Capt. Joseph Baker, who participated in the Colonial Wars and was a member of the New Hampshire Provincial Congress of 1775, and the fourth generation from Joseph Baker, who was a soldier of the Revolution; also the seventh generation from the celebrated heroine Hannah Dustin. He was educated in the public schools and academies of his native state and was graduated from Dartmouth College in 1863. He immediately began the study of law and was graduated from the Columbian College Law School at Washington in 1866 and was at once admitted to the bar of the District of Columbia. In 1882 he was admitted to practice before the Supreme Court of the United States. His practice has been varied and extensive.

Though in the active practice of his profession at Washington, Mr. Baker never changed his legal residence from his native town and state. In 1886–87 he was judge-advocate general of the New Hampshire National Guard, with the rank of brigadier-general. In 1890 he was elected a state senator and became chairman of the senate judiciary committee. At this time the second congressional district was represented by a Democrat and many of the Republicans urged Mr. Baker to redeem the district. He became a candidate, was nominated and elected. In 1894 he was re-elected by a greatly increased majority. In Congress he served on the judiciary and other important committees.

He frequently participated in the general discussions of the House, and several of his speeches were printed in pamphlet and extensively circulated.

In 1902 he was elected a delegate from Bow to the constitutional convention of that year. In 1904 and 1906 he was elected to the legislature and was chairman of the committees on national affairs and on judiciary. In the constitutional convention and in the legislature Mr. Baker was prominent in committee and in debate.

He is a member of the National Geographic, the Anthropological Society, the Sons of the American Revolution, and has been president of the State Society, the Society of Colonial Wars, and has been deputy governor of the New Hampshire Society, the New Hampshire Historical Society, of which he is now president; has been president of the Alumni of Dartmouth College, is president of the trustees of Pembroke Academy, and is a Knight Templar and a member of the Mystic Shrine.

General Baker has been an extensive traveller at home and abroad. He has prepared several historical and other monographs, and has by invitation addressed the Bar Association of New Hampshire, the Sons of the American Revolution, the New Hampshire Historical Society, and delivered the oration at the dedication of the statue of Gen. Enoch Poor at Hackensack, New Jersey.

He is now chairman of the board of trustees of the Rev. Mary Baker G. Eddy estate.

## JOSIAH EASTMAN FERNALD

JOSIAH EASTMAN FERNALD was born June 16, 1856, in Loudon, New Hampshire. He is a direct descendant from Captain Ebenezer Eastman, the first settler of Concord. He is the son of Josiah and Mary E. (Austin) Fernald. Mr. Fernald was married December 8, 1880, to Anna White, a daughter of Curtis White of Concord, New Hampshire. They have four children, three daughters and one son.

Mr. Fernald attended the district school in Loudon and afterward the Pittsfield Academy, from which he was graduated in 1875, at the age of nineteen years. Immediately afterward Mr. Fernald came to Concord and entered the National State Capital Bank as messenger boy. During the succeeding seven years he worked through the different departments of the bank and in 1882 was appointed cashier under Lewis Downing, Jr., who was at that time president. In 1905 Mr. Fernald was elected president of the bank.

In addition to the duties devolving upon him in this capacity, to which he gives close personal attention, he is treasurer of the Capital Fire Insurance Company and has been treasurer since its organization in 1880, and during all these years has been a director and member of the executive committee. He is trustee and treasurer of the New Hampshire Centennial Home for the Aged, an organization in which Concord has some pride and in the management of which, with his associates, Mr. Fernald takes great pains. Mr. Fernald is vice-president of the Loan & Trust Savings Bank and a member of the investment committee. He is president of the Concord Axle Company, which is located at Penacook. He is a director of the Concord Electric Company and a director of the Woodbury E. Hunt Company. He is a trustee of the Colby Academy at New London, New Hampshire. He is a member of the Wonolancet Club of Concord. He is a member of the First Bap-

tist Church of Concord and one of the finance committee there.

Josiah E. Fernald is a busy man and a very competent and widely trusted one. He was at one time treasurer of the Mount Washington Railroad, and has held and now holds many important positions as executor and trustee of estates. From the most humble beginnings he has climbed, while not by slow processes, yet by very safe ones, to the position he holds to-day in these various institutions as well as in the hearts of the people who know him and who have business dealings with him.

During the many years that Mrs. Eddy has lived in Concord she has transacted most of her local business through the National State Capital Bank. Her dealings with Mr. Fernald have been extended. She has had ample opportunity to learn of his capability and reliability, and she expressed her confidence in both when she selected him as one of the three trustees to manage her property affairs in the future.

## IRVING C. TOMLINSON

REV. IRVING C. TOMLINSON, M.A., C.S.B., was born in the beautiful lake region of western New York, in Perry, Wyoming County. His father was a clergyman of the Universalist denomination. His mother was devoted to the church, a writer of distinction, and one of the founders of the Woman's Christian Temperance Union in America. Mr. Tomlinson was educated in the public schools of New York State until the age of ten, when he entered the preparatory school of Buchtel College in Akron, Ohio, from which institution he was graduated in 1880, receiving the degree of B.A. Three years later, for further literary work, he was given the degree of M.A. by that institution.

After graduating he went into business in Chicago and in Ohio. Feeling that his work lay in the service of the Christian religion, he entered Tufts Divinity School of Boston, graduating from that institution in the year 1888, receiving the degree of B.D.

Mr. Tomlinson, on being graduated, was installed as pastor of the First Universalist Church in Saugus, Massachusetts. Later he was called to the church in Arlington, Massachusetts. After five years of service here he resigned to engage in philanthropic work in Boston.

Mr. Tomlinson organized the well known Boston charity called "The Mutual Helpers," which concerns itself with the betterment of the people of the tenement-house district of the New England metropolis. It became so popular and accomplished so much good that, under Mr. Tomlinson's administration, it had twenty headquarters in which were interested five hundred boys and girls and active helpers from one hundred towns in the neighborhood of Boston. This work is still accomplishing great good.

In 1896 Mr. Tomlinson made a careful and thorough-

going study of Christian Science, with the result that he accepted it and has ever since given himself unreservedly to its interests.

In November, 1898, he had the privilege of studying with Mrs. Eddy, the discoverer and founder of Christian Science. In January, 1899, he was called by Mrs. Eddy to assume the first readership of First Church of Christ, Scientist, in Concord, New Hampshire, which position he continued to occupy for seven years. In accordance with the custom prevailing in the Christian Science denomination, he resigned his first readership in 1905, when he went upon the lecture platform.

Mr. Tomlinson at present is a member of the Board of Lectureship of The First Church of Christ, Scientist, in Boston, Massachusetts; the chairman of the Christian Science Committee on Publication for the State of New Hampshire; the president of the Concord church and chairman of its board of trustees; he is also a teacher and Christian Science practitioner.

Mr. Tomlinson has given very much of his time to the practice of healing in Christian Science and is strongly intrenched in his convictions as to the worth of this practical religion and the genuine benefits it provides for all mankind. At present Mr. Tomlinson is Mrs. Eddy's secretary and makes his home at Pleasant View.

## HERMANN S. HERING

PROF. HERMANN S. HERING, M.E., C.S.B., is a native of Philadelphia, Pennsylvania, born of German parents of Saxon ancestry. His father was the late Dr. Constantine Hering, the eminent homœopathic physician, whom Hahnemann called "The Father of Homœopathy in America" in recognition of Doctor Hering's successful efforts to establish Hahnemann's teachings in this country. Doctor Hering founded the first homœopathic college; he was largely instrumental in producing the first English literature on homœopathy and was the author of many standard books.

Doctor Hering's father was a well-known educator and musician of his time, the first to treat the teaching of music from a pedagogical standpoint; and the principle of instruction which he originated was thereafter adopted in all music schools and conservatories in Germany.

Of Doctor Hering's sons now living, Rudolph Hering is the well-known expert sanitary engineer of New York; Walter E. Hering, the president of the Globe Ticket Company of Philadelphia, and Carl Hering, the expert electrical engineer and author of Philadelphia.

Hermann S. Hering, the youngest son, was educated in private schools until he entered the Department of Science in the University of Pennsylvania in 1881, winning a scholarship on his entrance examinations. He graduated in 1886 with the professional degree of M.E.

In the fall of 1886 he was elected a teacher in the Philadelphia Manual Training School, and in 1887 was made Professor of Mechanics and Electrical Engineering by the Board of Education of that city. He developed an elementary laboratory course in applied electricity, which attracted much attention, as it was the first of its kind in this country. In 1889 he went to London, England, and took a special course in electricity and laboratory

methods with Prof. W. E. Ayrton, the eminent electrician, inventor, and author.

In 1891 Professor Hering was called to the Johns Hopkins University of Baltimore as "Associate in Electrical Engineering," in the Department of Physics, under the direction of the late Professor Henry A. Rowland, noted for his original work in spectrum analysis by means of "gratings" invented by himself.

Here Professor Hering remained for eight years, engaged in lecturing and in conducting laboratory and research work, his special subjects being electrical measurements and testing, electric railway operation, and the designing, construction, and testing of electric power stations. He conducted several elaborate tests of turbine and steam-power plants and of the performance of electric cars, contributing some of the original results to electrical societies and periodicals. Two series of these experiments were published in pamphlet form and were considered the most exhaustive reports of their kind ever made.

Previous to giving up his professional work, Professor Hering was a member of the Institution of Electrical Engineers, London, England, the American Institute of Electrical Engineers, New York, the Engineers' Club of Philadelphia, and the Franklin Institute of Philadelphia.

In 1893 Professor Hering became interested in Christian Science through the benefits received by his wife. After three years of the most careful study, investigation, and demonstration, he became convinced of its truth, and in 1896 united with the denomination. In 1899 he gave up his profession entirely, and thereafter devoted all his time and energy to Christian Science work, convinced that he had found in it the statement and application of the underlying principle of all things, which he, with all physical scientists, had sought and had failed to find in matter.

For five years Professor Hering was a reader in the Christian Science Church in Baltimore; he was also a practitioner and teacher and a member of the Christian Science Committee on Publication for the State of Maryland and

the District of Columbia. In 1902 he was elected First Reader of the Mother Church in Boston for a term of three years, and subsequently was made president of the church and a member of the Board of Lectureship. In 1906 he was called to Concord, New Hampshire, to become the First Reader of the Christian Science Church of that city.

## ALFRED FARLOW

ALFRED FARLOW, C.S.D., was born at Orange, near Galesburg, Illinois. His father, William Farlow, was an ardent Methodist and for thirty years was a class leader in that church. His mother was reared in the Baptist Church, but was never a creedist, although a very devout woman. After her marriage she became a member of the church of her husband's choice.

The Farlow farm was a very fertile and productive one, and the elder Farlow there accumulated a comfortable competency. He was for sixteen years assessor of the town of Orange, in which he resided, and for many years taught school during the winter season. He was ambitious to give his children the benefit of the best educational opportunities within reach of his means, and accordingly after Alfred had finished in the public school at Orange, sent him to the Lutheran College at Knoxville. Here Alfred soon made himself known for his scholarship, his skill in debate, and his natural oratorical powers.

Owing to his father's financial reverses he was obliged to leave college before he had finished the course of study, in order to assist in the support of the family, but for some years thereafter continued his studies (working in his father's store during the day and laboring over his books at night) under the tutorship of Col. John W. McClenahan, a distinguished scholar and educator and a veteran of the Civil War.

For a short period after the removal of the family to Beatrice, Nebraska, Alfred served as a clerk and was also engaged as school teacher. At about this time in the course of his reading he became interested in Christian Science, and in the spring of 1886 went to Boston and took a course of instruction under Mrs. Eddy. Very soon afterward he took another course at the Massachusetts Metaphysical College in Boston, preparatory to teaching

Christian Science. He returned to the West and began his career as a Christian Scientist. He travelled from city to city, giving free public lectures and private instruction to classes as they were formed. He was one of the first Christian Scientists to enter the field as a lecturer. After spending between three and four years in the lecture field he retired for the purpose of working permanently in one chosen field. Meanwhile calls had been made upon him throughout Kansas, Nebraska, Colorado, and Dakota, and his work had resulted in the establishment of the Kansas Christian Science Institute of Topeka, with Mr. Farlow as its head. This institute he and his brother conducted for a number of years. At the time of his call to Boston he had re-entered the lecture field as a member of the Christian Science Board of Lectureship.

In 1895 Mr. Farlow located in Kansas City, where he founded the society which was known as the Mission Church of Christ, Scientist. Under his preaching the congregation grew in numbers from seventeen to five hundred and fifty in about six months.

Mr. Farlow was called to Boston by Mrs. Eddy in January, 1899, where he was appointed general manager of the committee on publication for the Christian Science denomination. He is thoroughly capable and well equipped for this position, which he now holds. While modest and retiring, he is not lacking in initiative and decisiveness when occasion demands. His position as manager of the committee on publication has made great demands upon him, which have been splendidly met. He has organized an efficient corps of assistants throughout the world, and has succeeded in putting Christian Science fairly before the newspaper world and correcting misconceptions as to its teachings. To him is due in large measure the improved attitude of thought toward this subject among newspaper men and the intelligent public in general.

He is absolutely genuine and sincere in his adherence to Christian Science and in his loyal devotion to Mrs. Eddy,

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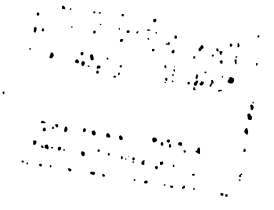
and his zeal and honesty of purpose cannot fail to impress the most casual observer.

Mr. Farlow is an indefatigable worker, always at his desk, early and late. No task is too great for him to undertake and complete. He keeps in touch with all published matter for and against Christian Science and has laid down for his assistants the general plan and policy of the replies to attacks. He prepares many articles himself and attends to a voluminous daily correspondence. He is a clear and fluent thinker and writes almost exclusively by dictation. He has wonderful powers of elucidation which enable him to explain difficult points and to answer critics in a very simple and forceful way.

Mr. Farlow has been a very successful healer and teacher from the beginning of his experience in Christian Science and has continued in these lines of work along with his literary and administrative duties. He was president of the Mother Church in 1904.



## WILLIAM B. JOHNSON

WILLIAM B. JOHNSON, C.S.D., clerk of the Mother Church and one of the board of directors, was born in Coventry, England. He came to the United States at the age of four and with his parents settled in Roxbury, Mass. When he was thirteen years of age his parents passed away. In 1861, at the call of Abraham Lincoln for volunteers, Mr. Johnson enlisted in the First Massachusetts Regiment and served for three years under the generals commanding the Army of the Potomac, more especially under General Hooker.

For several years Mr. Johnson was actively connected with the Methodist Church and was interested in Sunday-school work. After his healing through Christian Science of a trouble from which *materia medica* gave him no permanent relief, he was thoroughly convinced that the teachings of Christian Science included not only preaching the gospel, but also healing the sick and casting out devils as Jesus commanded, and he therefore severed his connection with the former church in order that he might affiliate with the Christian Science Church.

In 1884 Mr. Johnson studied with Mrs. Eddy, for whom he has ever since held the most reverent esteem, and soon thereafter entered the practice of Christian Science healing. He has held the position of secretary of the Massachusetts Metaphysical College Association and secretary of the National Christian Science Association. In 1887 he was elected clerk of The First Church of Christ, Scientist, in Boston, which position he continues to hold.

While serving in these different positions, it has been his privilege to talk and correspond with Mrs. Eddy many times, and these occasions have given him opportunities to know much of her great lifework for humanity.

## JOSEPH ARMSTRONG

JOSEPH ARMSTRONG, C.S.D., was born near Carrollton, Illinois. His ancestors were Scotch Covenanters. He was educated in the public schools of his native place and at Centre Academy. For a number of years he was employed in caring for the real estate interests left by his father, and superintending the education of his younger brothers. After this work was finished he moved to a state farther west, where he was engaged for several years in the lumber and banking business. He was considered a successful business man.

Mr. Armstrong became interested in Christian Science through the healing of his wife. After studying " Science and Health, with Key to the Scriptures," by Mary Baker G. Eddy, for a time, and after witnessing the healing by its means of a number of cases pronounced incurable, he became convinced of the truth of its teaching and that it was a revelation from God to Mrs. Eddy. He immediately made application to Mrs. Eddy for instruction in Christian Science, and had the great privilege of being taught by her in the primary course in the Massachusetts Metaphysical College in Boston.

Upon his return to his home from studying in the Metaphysical College, he gave up his business and took up the practice of Christian Science in healing the sick. Later he took two more courses with Mrs. Eddy in the Massachusetts Metaphysical College and became a teacher. Thereafter for several years he was engaged in the work of healing and teaching.

In 1898 Mr. Armstrong was made publisher of the publications of the Christian Science Publishing Society, and later, by Mrs. Eddy's request, he became publisher of all her writings. In 1898 he was elected a member of the Christian Science Board of Directors of the Mother Church, and was active in building the first edifice of the

Mother Church, and wrote the history of that great endeavor. Later he took part in the building of the extension of the Mother Church.

Mr. Armstrong considered it the greatest privilege of his life to have been taught Christian Science by Mrs. Eddy herself, the Discoverer and Founder of Christian Science. His association with her during many years, both as a student, as a director of her church, and also as the publisher of her writings, gave him notable opportunities to judge of her Christian character and extraordinary abilities. Working under her in various capacities, he learned to value profoundly her loving guidance, wisdom, and foresight, and bore witness to her unwavering fidelity to the mission which God has given her in behalf of mankind.

## STEPHEN A. CHASE

STEPHEN A. CHASE, C.S.D., was born in Fall River, Massachusetts, and was educated in the public schools. His parents and relatives belonged to the Society of Friends, he being a birthright member.

For many years he was engaged in business in his native city with his uncle, Edmund Chase, who was a large manufacturer.

In 1884 he became interested in Christian Science and in 1885 took a course of instruction with its Discoverer and Founder, Rev. Mary Baker G. Eddy.

In the year 1892 he was named by Mrs. Eddy as one of the Christian Science Board of Directors, and the same year he was appointed treasurer of the building fund, which was being contributed at that time for the erection of the original Mother Church building. Later he was elected treasurer of the Mother Church, which position he has held ever since. In 1902 Mr. Chase was again made treasurer of the building fund for the extension of the original building, and the money for these two buildings, amounting to over $2,250,000, was handled without loss.

## IRA O. KNAPP

IRA O. KNAPP, C.S.D., of Boston, Massachusetts, is a native of the once prosperous town of Lyman, New Hampshire. According to the family history, by Charles R. Knapp, he is apparently of Saxon ancestry, and the family is "recorded in Heraldry as being an English family of great distinction." Their coat of arms bears the inscription more recently used on our American coins, "In God we trust."

Mr. Knapp's education was obtained in the district schools of his own town, and a few academic terms in other places. He taught in the district schools and was for six years town superintendent of public schools. He served the town as selectman, chairman of the board of supervisors, collector of taxes, overseer of the poor, and other offices of public trust. He was justice of the peace and actively engaged in agricultural pursuits.

In the spring of 1884 Christian Science came to his home, "a stranger in a strange land." It was entertained, however, and resulted in the remarkable cure of two members of his family. He immediately took up the study of "Science and Health, with Key to the Scriptures," by Mary Baker G. Eddy, then in its ninth edition. From the first he never doubted the revelations of Truth and the Christianly inspired teachings of the book. In December, 1884, he entered the primary class of the Massachusetts Metaphysical College in Boston, reviewed the following year, and in May, 1888, was called to the normal class, all under Mrs. Eddy's instruction. Meanwhile he had been actively engaged in the healing work of Christian Science and with encouraging results.

In August, 1888, a call came in the interests of Christian Science, attended with some significant signs, for him and his family to leave their home among the granite hills of New Hampshire and take up their abode in

Boston, where he has continued the practice of Christian Science.

In 1889 Mr. Knapp held a trust deed from Mrs. Eddy, for First Church of Christ, Scientist, in Boston, of the land on which the original Mother Church now stands, and he was also made a director of the church. In 1892 he was again made a director of the church under its new form of government by a trust deed from Mrs. Eddy, which reconveyed the same land to Mr. Knapp and three other persons, who were to be known as the " Christian Science Board of Directors." He is still a member of this board. He was among the twelve students chosen by Mrs. Eddy to organize " The First Church of Christ, Scientist," in Boston, under its changed form of government. In 1889 he was chosen by Mrs. Eddy as one of the original members of the Christian Science Bible Committee, and he is still a member of that committee.

His experience in the practice of Christian Science, and years of personal acquaintance with its Discoverer and Founder, mean vastly more than an historical narrative of human events. He is thoroughly convinced that Christian Science is all that it claims to be, because its foundation is the rock — Christ — Truth — which demonstrates the Christ healing; it reaches beyond the veil of matter and reveals the true concept of man and the universe.

## LEWIS CLINTON STRANG

APART from his connection with Christian Science and this suit and his associate secretaryship to Mrs. Eddy, Lewis C. Strang is best known as an editorial writer and dramatic critic.

Of him and of his accomplishments in these lines, "Who's Who in America" says:

"Lewis Clinton Strang, dramatic critic, born at Westfield, Massachusetts, December 4, 1869; was the son of Clinton W. Strang, D.D.S., and Ella J. Lewis Strang.

"Mr. Strang was graduated from Bridgeport (Conn.) High School in 1888, and took a course in the liberal arts at Boston University, graduating therefrom in 1892.

"He was married at South Braintree, Massachusetts, August 7, 1895, to Martha W. Locke. In the fall of 1892 he became a reporter for "The Boston Journal." In 1893 he was promoted to the assistant city editorship and to the dramatic department in 1894, and became dramatic editor and critic in the fall of 1898.

"In 1903 he became editorial writer on "The Boston Journal" and "The Evening News," and the leading editorial writer and dramatic critic on "The Washington (D. C.) Times" in 1904.

"In 1899 Mr. Strang wrote the first series of the books entitled 'Famous Actors and Actresses of the Day,' and in 1902 the second series, — four volumes in all. In 1902 he wrote 'Prima Donnas and Soubrettes of Light Opera and Musical Comedy in America,' and 'Celebrated Comedians of Light Opera.'

"Later he published 'Players and Plays of the Last Quarter of the Century,' in two volumes."

In 1901 Mr. Strang became interested in Christian Science, and he became Mrs. Eddy's associate secretary in January, 1906, and remained with her about fifteen months. He is at present practising Christian Science healing in Boston, his address being 845 Boylston Street.

## SAMUEL JAMES ELDER

SAMUEL JAMES ELDER, son of James Elder and Deborah Dunbar Keene. James Elder, who was born in Baltimore, and is buried there, was a sea captain, engaged in trade with the West Indies and Southern ports, residing at Hope, Rhode Island. He was the son of John Elder, who served at the beginning of the Revolutionary War in Joseph Reed's militia company with David McKinley, great-grandfather of President McKinley, and at the close of the war married David's sister Esther, and removed to Baltimore. John Elder was a descendant of Robert Elder, a Cameronian, who emigrated from Scotland and settled in Paxtang, near Harrisburg, Pennsylvania, in 1730. Robert's brother, the Rev. John Elder, was minister at Paxtang for fifty-six years, and in the French and Indian War commanded the defences from Easton to the Susquehanna, with the rank of colonel. It was his parishioners, the Paxtang Rangers, who destroyed the Indian village at Conestoga Manor. When upwards of seventy years of age he raised a company one Sunday morning in church, which, under the command of his son, joined Washington at Valley Forge. Deborah Dunbar Elder was a daughter of James Keene, a farmer of Camden, Maine, and of Margaret Dunbar, whose home before her marriage was at Lincolnville, Maine. Both were of Scotch descent, the husband being a son of Jacob Keene, who settled at Thomaston, Maine, about 1780.

Mr. Elder was born at Hopeville, Rhode Island, January 4, 1850, and during his youth saw some service at sea. Prepared for college at the high school in Lawrence, Massachusetts, which was his home during his New Haven days.

His college honors include Gamma Nu, Alpha Delta Phi, Skull and Bones; first prizes in the Linonia debates of freshman and sophomore year and the second prize in the union debate of junior year; campaign president of

Gamma Nu; a first prize for compositions in senior year, and a special literary prize for the best story; captain of the class nine and centre fielder on the university nine in senior year; named by Walter Camp in "Yale — Her Campus" as one of the three men who inaugurated football at Yale.

Mr. Elder spent the summer of 1873 at sea and at Prince Edward Island; he entered Columbian Law School in the autumn, but attended it only a few months. Continuing his studies in the office at Boston of John H. Hardy, now of the Massachusetts Superior Court, and in the Boston University Law School, he was admitted to the bar June 26, 1875, and has practised in Boston ever since, at one time as a member of the firm of Hardy, Elder & Proctor, and afterwards of Elder, Wait & Whitman, now Elder & Whitman, Mr. Wait having also gone on the bench. To copyright law he has given special attention, and he was counsel for the International Copyright Association on the International Copyright bill. His principal work, however, is in jury trials in Suffolk and Middlesex counties. He was counsel for the Massachusetts Institute of Technology and the Museum of Fine Arts in securing legislation to limit the height of buildings in Copley Square; senior counsel for the attorney-general in the litigation concerning the constitutionality of the act, and its enforcement against the Westminster; counsel for Dr. Charles R. Eastman of Harvard University, who was acquitted in May after a prolonged trial on the charge of murdering his brother-in-law; senior counsel for Mary Baker G. Eddy, founder of Christian Science, in the case brought by Josephine Woodbury against her for alleged libel; and counsel for the Boston street railways in opposition to taxation for the use of streets and in opposition to the compulsory system of free transfers; counsel for the Boston & Albany Railroad in various matters; counsel for the will of Arioch Wentworth and of H. O. Peabody. He served one term in the lower house of the Massachusetts Legislature (1885), declining a re-election

as a representative of the fourteenth Middlesex district (Winchester and Arlington), being chairman of the Committee on Bills in the third reading and a member of the Committee on Taxation. He declined a position on the Superior Court bench, offered by Governor William E. Russell. From 1891 to 1896 he was state commissioner on the portraits of governors. He is a member of the Boston Bar Association, of the Middlesex Bar Association (member of the council), of the Yale Alumni Association (president in 1893), of the Union Club, Curtis Club (president in 1896), Middlesex Club, and Taylor Club of Boston, and of the William Parkman Lodge, Free Masons of Winchester. He delivered the oration at the dedication of the Masonic Temple in Boston, in 1899. Presided at Republican State Convention in 1901. He has done much after-dinner speaking and has the reputation of being always ready and graceful in these efforts. His interest in college athletics is well known and unflagging.

## EDWIN G. EASTMAN

ATTY.-GEN. EDWIN G. EASTMAN was born in Grantham, New Hampshire, November 22, 1847, and was educated in the common schools, at Kimball Academy, Meriden, and at Dartmouth College. He studied law in the office of the late Chief Justice Carpenter at Bath, and in March, 1876, was admitted to the New Hampshire bar. Since September of that year, Mr. Eastman has practised his profession at Exeter, where for fourteen years he was the partner of the late General Gilman Marston. In 1876, Mr. Eastman was a member of the house of representatives from Grantham, and in 1887 he was the senator from District No. twenty-three. He was also a member of the New Hampshire Constitutional Convention of 1903. He served as solicitor for Rockingham County from 1883 to 1887, and in 1891 he was appointed Attorney-General of New Hampshire and still holds that office. He has been a member of the Board of New Hampshire Bar examiners since 1892.

Mr. Eastman is a typical New England lawyer. As a counsellor his legal opinions are relied upon with confidence. As an advocate he is honest, forceful, and successful, and his practice, both in the state and federal courts, always has been extensive and important. In his legislative service he occupied a prominent and honorable position.

Although busily occupied as a lawyer, Mr. Eastman finds time to attend to business outside of his professional work, and he is now vice-president and a director of the Exeter Banking Company, a trustee and vice-president of the Union Five Cent Savings Bank, and president of the Exeter Manufacturing Company.

## ALLEN HOLLIS

THE active preparation of evidence supporting Mrs. Eddy's defence rested largely upon the shoulders of Allen Hollis, the junior member of the firm of Streeter & Hollis. Intimately associated with Mr. Streeter for eighteen years as student, lawyer, and partner, Mr. Hollis was admirably fitted by experience, natural ability, and education to prepare evidence, suggest lines of defence, and consult with the older lawyers in the case.

Mr. Hollis was born in Concord, New Hampshire, December 20, 1871, and received his early education in the public schools, graduating from the Concord High School in 1889. Descended from a long line of distinguished lawyers, prominent among whom was his great-grandfather, Chief Justice William M. Richardson of the New Hampshire Supreme Court, Mr. Hollis naturally sought a career at the bar, beginning the study of law in the office of Chase & Streeter, where he remained for three years, completing his legal education at the Harvard Law School in 1893. He was admitted to the New Hampshire bar in July, 1893, and in the fall entered into practice with Streeter, Walker & Chase at Concord.

Since his admission to the bar, Mr. Hollis has pursued his profession with marked ability and success, taking an active part in the varied business of a large and prosperous law firm. He has tried cases by court and by jury, has argued legal questions before the Supreme Court, has organized and directed corporations, and has been conspicuously identified with important business interests. His experience in the federal courts has been unusually wide, and it may fairly be said that no lawyer of his age in New Hampshire has been connected actively with so many celebrated cases.

The conspicuous ability shown by Mr. Hollis in his first years of professional work received recognition on January

1, 1897, when he became a member of the firm of Streeter, Walker & Hollis. Since that time he has been the trusted confidential partner of Mr. Streeter, and since April 1, 1901, when Mr. Walker became a member of the New Hampshire Supreme Court, the firm name has been Streeter & Hollis. Mr. Hollis was married November 10, 1897, to Miss Amoret Nichoson of Dubuque, Iowa, and has two children.

In 1906 he received an honorary degree from Dartmouth College. For the past few years he has been somewhat interested in politics, representing Ward Four, Concord, in the legislature of 1907, as a Republican. He was a member of the judiciary committee and took a prominent part in legislative business on the floor of the house and in committee, being several times appointed on important special committees.

At the beginning of the proceedings in Eddy *v.* Frye, Mr. Hollis had known Mrs. Eddy for many years, drawing legal papers and attending to other legal matters for her in Mr. Streeter's absence from Concord. This familiarity with her affairs, in addition to his broad legal training, peculiarly fitted him to advise and consult with Mr. Streeter in regard to the conduct of the case, and to participate actively in deciding the complex questions presented by the various phases of this extraordinary litigation.

His particular province was the detailed preparation and arrangement of the testimony on Mrs. Eddy's behalf, which he was fully prepared to introduce before the Masters. His associates will gladly give him credit for his skill in preparation, fertility of resource, and soundness of judgment throughout the entire litigation.

## ALLAN McLANE HAMILTON

ALLAN McLANE HAMILTON, M.D., F.R.S.E., is the descendant of jurists and statesmen on both sides of the family, for he is a grandson of Alexander Hamilton, the great federalist, and Louis McLane, secretary of the United States treasury and minister to England under Jackson and Van Buren.

Doctor Hamilton was born October 6, 1848, and is the son of the late Philip and Rebecca Hamilton. He graduated from the medical department of Columbia College of New York, taking all the prizes, and later had an extensive hospital experience, both here and abroad, and has been connected with the asylums of his native state. After his graduation he soon became interested in the subjects of neurology and mental disease, particularly in their legal relations, and he has figured in most of the important civil and criminal trials in New York City and elsewhere. His career began back in the seventies, when he was associated with others in the preparation of evidence in the celebrated MacFarland and Scanlan murder cases.

He was employed by the United States government in the Cadet Whittaker and Guiteau cases, and later he was invited to serve as a special commissioner to determine the mental state of Howard J. Schneider. Still later he was called to Buffalo in the Czolgosz case, but did not go on the stand, McKinley's assassin having been found responsible before the trial. It has always been Doctor Hamilton's opinion that Czolgosz was insane.

Doctor Hamilton's attitude in the first trial of Harry K. Thaw is well known, for his diagnosis of the mental state of Thaw was finally accepted by the district attorney, although not by the defendant's counsel.

The cases in which he has appeared in various parts are very numerous, and of the most divergent character. He was employed by the People in the Carlyle Harris case, in

the "Gentleman Joe" and Levy letter-writing cases, and examined and pronounced insane Cornelius Williams, the murderer of Andrew H. Green. He often acts as the *amicus curiae* in New York City to many of the judges, and is frequently called upon to act as an arbiter when there is a dispute between other experts. His professional duties have consisted in his being selected as a consulting physician in the Manhattan State Hospital for the Insane, and for some years he was professor of clinical psychiatry in the medical department of Cornell University. His writings are numerous and include a large treatise upon Medical Jurisprudence, a work upon railway injuries, a treatise upon nervous diseases, and many contributions to the literature of his specialty.

He is a member of the American Neurological Association, was the founder and first president of the Psychiatrical Society, and a few years ago was made a Fellow of the Royal Society at Edinburgh.

## OLIVER E. BRANCH

HON. OLIVER E. BRANCH is a native of Madison, Ohio. His lineage on both sides includes many of the most distinguished early New England families, among them the Lincolns, Chaunceys, Merchants, Wolcotts, Chapins, and Griswolds. Charles Chauncey, second president of Harvard College, was his grandfather eight generations removed. His grandfathers were soldiers in the Revolutionary War. His father, Judge William W. Branch, and his mother, Lucy J. Bartram, were among the early pioneers who settled the Western Reserve of Ohio. Born and reared in the country, working on the farm in the summer and fall, he attended the district schools and academies until he was nineteen, when he began teaching. He finished his preparation for college at Whitestown, New York, and graduated with the highest honors and with the most brilliant record of his class at Hamilton College in 1873. During his senior year at Hamilton he won the prize in extemporaneous debate, the Head prize oration and the Clarke prize oration, and at graduation was elected a member of the Phi Beta Kappa Society; was principal of the Forestville Free Academy for two years; graduated at Columbia College Law School in 1876 and was at once admitted to the bar; began practice in New York City with his brother in the fall of 1877. He soon came into the front rank of trial lawyers and had a large litigated practice. Mr. Branch married Sarah M. Chase of Weare in 1878 and removed to Weare in 1883 to engage in literary work; was elected to the legislature of 1887 and became widely known for his remarkable speeches in the great railroad contest of that year. He was re-elected in 1889 and was the Democratic candidate for speaker. During this session he again distinguished himself by his efforts to secure the adoption of the Australian ballot law, which

he then first brought before the legislature. During both sessions he was a member of the committee on the judiciary. In the litigation which involved the organization of the legislature in 1891, he was one of the counsel employed by the Democrats and made the principal argument before the Supreme Court. Since 1889 he has been in active practice in Manchester, removing there from Weare in 1894. He has been one of the general counsel for the Boston & Maine Railroad for the last sixteen years; was counsel for the Manchester & Lawrence Railroad in the protracted litigation with the Concord & Montreal Railroad prior to the consolidation; was leading counsel for the Manchester & Lawrence Railroad in the suit brought by the state to recover a claim amounting to $650,000 and in which he obtained a judgment for the railroad. He was appointed United States district attorney for the district of New Hampshire by President Cleveland in 1894; was president of the State Bar Association in 1904; was president of the New England Association of Hamilton College Alumni and the New England Association of the Delta Upsilon in 1902; received his degree of A.M. from Hamilton in 1876 and the honorary degree of A.M. from Dartmouth in 1896 and was elected trustee of Hamilton College in 1904. He was permanent chairman of the Democratic State Convention in 1892 and again in 1902. He has always been a Democrat and has taken an active part in almost every campaign since the presidential election of 1868. He has for many years been a member of the National Bar Association, and is vice-president of the New Hampshire Society of the Sons of the American Revolution.

He is a Mason and a member of the Derryfield and Intervale country clubs. He has three sons and one daughter. His oldest son, Oliver Winslow Branch, is a graduate of Harvard College and Harvard University Law School, and has been in business with him for the last three years under the firm name of Branch & Branch. The firm has a very large general practice and extensive corporation clien-

tage. Mr. Branch is an accomplished lawyer and is equally at home in the trial of causes and the argument of questions of law; studious, diligent, thorough, persistent, he is a polished writer, an orator, and a debater of rare powers of analysis and expression.

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